



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Plan Commission Meeting

DATE: 6/7/2023, at 6:00 PM

DIRECTIONS: Launch Fishers Theater , 12175 Visionary Way, 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. 5-3-23
5. **Public Hearings**
 - a. Drive Planning Rezone
Case: RZ-23-2
Address: 13562 E 116TH ST FISHERS, IN 46037
Request: Consideration of a rezone of .98 acres from R2 to C1 with conditions to allow for a commercial office.

Petitioner: Drive Planning LLC
Planner: Megan Vukusich, vukusichm@fishers.in.us

b. Flat Fork PUD Rezone

Case: RZ-23-3

Address: Multiple parcels on the north side of 96th Street, between Georgia and Cyntheanne Road

Request: Consideration of a rezone of 109 acres from R2 Residential to PUD-M. The Flat Fork PUD would include a maximum of 220 single-family homes on the north side of 96th Street, between Georgia and Cyntheanne Road, and a C2 Commercial area at the northeast corner of 96th & Georgia.

Petitioner: NVR, Inc. (d/b/a Ryan Homes)

Planner: Megan Vukusich, vukusichm@fishers.in.us

c. Text Amendment- Nickel Plate District Code

Case: TA-22-36

Address: Multiple parcels along Technology Drive, Technology Lane, N Lantern Road, E 121st Street and W Circle Drive

Request: Consideration of a text amendment to various sections of the Nickel Plate District Code (NPDC), including the Zone Map to add the Technology Center (TC) Zoning District, Figure 1.3. Development Standards, Figure 1.4. Building Types, and streetscape options

Petitioner: City of Fishers

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

6. Staff Communication

- a. Summary of Council Action

7. Summary of Council Action

8. Adjournment

**CITY OF FISHERS
ADVISORY PLAN COMMISSION MINUTES
May 3, 2023
LAUNCH FISHERS THEATER**

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: Rick Fain, Bill Stuart, Selina Stoller, Howard Stevenson, Steve Richards, Kim Logan, Katie Jackson

Members absent: Pete Peterson, Bruce Molter, Todd Zimmerman

Others present: Rodney Retzner, Megan Vukusich, Kay Prange, Tracy Gaynor, Larry Lannan, Josh Huser, Chris and Elizabeth Cooke, Bill Butz, Andy Mattingly, Kathleen Chabenne, B. Chabenne, Rachel Petry, Tom Perkins, Tom Murray, Melissa Garrison, Eddie McClure, Laura and Ed Villanyi.

Kim Logan made a Motion to approve the Minutes from the 4-12-23 meeting, seconded by Rick Fain. The Motion was approved, 7-0.

a. Magnolia Grove Salon- CONTINUED FROM APRIL MEETING

Parcel: 13-11-35-00-00-041.001

Address: 13483 E 116th

Case: RZ-22-4

Request: To approve of a rezone of 1.76 acres from R2 to C1 with conditions.

Petitioner: Bill Butz (bill.butz@kimley-horn.com)

Planner: Megan Vukusich, Director of Planning and Zoning (vukusichm@fishers.in.us)

Megan Vukusich presented visuals and noted remonstrations from the neighbors. There were neighborhood meetings in October and April. A & F did a traffic review. Access from the church or Kroger is an option. Staff has made no recommendation to the Commission.

Tom Perkins, with the Paganelli Law Group, representing the Petitioner, noted that the building size has been reduced, the number of parking spaces has been reduced, and the hours would be kept from 8AM to 8PM. The dog grooming business will not be pursued in this location. They are asking for a C1 zoning.

Mr. Stevenson opened the Public Hearing. He noted that he has granted permission for a video to be shown by Mr. Cooke.

Chris Cooke (13625 E. 114th St.) – The video showed a City Council Meeting from several years ago regarding the Kroger Marketplace expansion and commitments. The discussion in the video was about honoring the buffers.

Elizabeth Cooke (13625 E. 114th St.)- Noted car crashes in the area, 2 deaths, and all the additional traffic from students from HSE. No agreement with Kroger and the church on the back alley exists. She disagrees with the traffic study, there is a risk to human life.

Andy Mattingly (13487 E. 116th St.)- This property should be transitioned to residential with a single tenant, owner occupied. There are traffic concerns.

Donna Bond (13555 E. 114th St.) - she sent a Public Comment in. Noted by the Commission. There is a serious traffic threat, also at Geist Water Park.

Mr. Stevenson closed the Public Hearing.

In Committee Discussion:

Selina Stoller noted that it was promised to residents that this buffer area would be residential. She wants to support small businesses and would support something like a dentist office. Pete Peterson, who is not at the meeting, is against this.

Kim Logan noted promises to stop at 1400 feet.

Howard Stevenson asked the square footage of the existing dentist office – 4200. Is this consistent with current 2040 zoning.

Bill Stuart asked if this parcel was outside the boundary discussed. Yes. 1 single-family home would fit but market conditions are unknown.

Before a Motion was made, it was discussed that the Commission could send an Unfavorable recommendation to City Council with a yes vote.

Mr. Perkins noted that there are no adjoining residential parcels. Single-family housing would be an issue. They are willing to work with the City and the Church next door. They believe that incrementally, this will not affect traffic and is the best use of this parcel at this time.

Mr. Stevenson asked for a Motion. Ms. Logan made a Motion to send an unfavorable recommendation to Council.

Ms. Stoller seconded. The Motion failed at a 5-2 vote. Mr. Retzner added that this would be No Recommendation to City Council.

b. UDO Update – CONTINUED FROM APRIL MEETING

Case: TA-23-2

Address: Citywide

Request: Consideration of a text amendment to the Unified Development Ordinance (UDO) establishing voting requirements for new HOAs.

Petitioner: Megan Vukusich, Director (vukusichm@fishers.in.us)

Megan Vukusich presented the HOA Text Amendment updates to the CC & R's (Covenant Conditions and Restrictions). Tom Murray has been the SME for the City on this and he noted special consideration regarding quorum based on HOA size. HOA operations would be meetings, directors, by-laws, and would be a simple majority. Staff recommends approval.

Mr. Stevenson opened the Public Hearing.

Josh Huser (12863 Shakespeare Way)- representing Avalon HOA- Quorum needs to be quantified)

Tom Murray (9515 E. 59th St.)- noted revised language.

Mr. Stevenson closed the Public Hearing.

In Committee Discussion:

Selina Stoller thanked Mr. Murray, Josh Huser, and Councilor Brad DeReamer. Mr. Stevenson agreed. Bill Stuart noted that there will be developer concerns. Katie Jackson asked how to change rental restrictions. The existing ones would be grandfathered in until change in ownership.

Mr. Stevenson asked for a Motion. Selina Stoller made a Motion to approve, seconded by Mr. Stuart. The motion was approved, 6-0.

Summary of Council Action:

Megan Vukusich noted the new Flat Fork PUD and the update to the Nickel Plate District Code.

The Meeting was adjourned at 7:02 p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary

From: [Andy Mattingly](#)
To: [Vukusich, Megan](#)
Cc: [Angela Mattingly](#); [Tim Mattingly](#); [Chris Cooke](#); [Baumgartner, Megan](#); elizcooke@comcast.net; [Jacquelyn Thompson](#)
Subject: RE: Neighborhood Meeting Recap - Drive Planning
Date: Thursday, May 25, 2023 1:52:47 PM
Attachments: [image001.png](#)

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.

Hi Megan,

Thanks for sending us the updated info. Unfortunately, we are not able to clear our schedule to be able to be there this afternoon. We don't have any comments for the petitioner for this project or response to the renderings recently submitted.

My comments below are for the Planning Commission/Planning Department only which I hope are considered when this is brought to the Planning Commission meeting on June 7th or discussed within the Planning department and results communicated to residents and petitioners.

I would think a 6,500 square foot building with 2 stories with an industrial design and multi tenants shouldn't be considered when the City Council only approved 7,000 square foot, single story, residential design, owner occupied for Magnolia Grove with just 48 parking spaces on roughly 1.9 acres. Following that precedent and the Moore Dentist precedent, this request should be for no more than 4,000 to 4,500 square feet and 24 spaces with 70%+ of the building used for owner occupied use only. This use now indicated is as a co-working space in the latest update, perhaps a different definition than a place like Co-hatch, Launch.

It is my understanding that Drive Planning is an investment management company, not a co-working office space company based on their comments at the last neighborhood meeting. At the last neighborhood meeting, their use was indicated to be for their employees to hold meetings, not to rent to others to use so I am somewhat confused on the entire project purpose. Is this just going to be an investment property for them and their intent is to eventually sell it, do they intend to open a co-working space/business, is a co-working space the best use at this busy intersection? Now that Magnolia Drive is approved and with that approve the the u-turn at Cedarstone Lane for their customers, will there be a new traffic study? I believe that Councilman Zimmerman said at their attempted first reading, the traffic study they submitted isn't valid.

All questions I hope the City Council and the Planning Commission/Department will get answered at the appropriate meetings before rendering any decision that is different than seems to be the precedent now set for 75% of the property in this subject area with the Moore Dentistry and Magnolia Grove decisions.

Thanks, enjoy the holiday weekend,

Andy & Angie Mattingly

From: Vukusich, Megan <vukusichm@fishers.in.us>
Sent: Thursday, May 25, 2023 9:51 AM
To: Chris Cooke <chris.cooke@cookefg.com>; 'kimlcook@msn.com' <kimlcook@msn.com>; 'angela@envisionideas.com' <angela@envisionideas.com>; 'jerrybond@mac.com' <jerrybond@mac.com>; 'jthompson2235@yahoo.com' <jthompson2235@yahoo.com>; Elizabeth Cooke <elizcooke@comcast.net>; Andy Mattingly <Andy.Mattingly@forumcu.com>; Tim Mattingly <tim@indyamr.com>; Jacquelyn Thompson <jacque@kineticrecreation.com>; Freddie McClure <freddielmclure@gmail.com>; lauraworld@mac.com; Joseph Bond <jerrybond@icloud.com>; Jerry Bond <jerrybond@mac.com>; Michelle Morrow (pbmorrow1@comcast.net) <pbmorrow1@comcast.net>
Cc: Baumgartner, Megan <baumgartnerm@fishers.in.us>
Subject: RE: Neighborhood Meeting Recap - Drive Planning

Hello – Sending along the revisions to be discussed at this evening's meeting at 5PM. *This meeting will be held at Fishers City Services, 3 Municipal Drive, Fishers, IN 46038.

MEGAN VUKUSICH

Director, Planning and Zoning
Tel: 317.588.1431, Mobile: 317.526.3905
vukusichm@fishers.in.us
www.fishers.in.us



From: Vukusich, Megan

Sent: Thursday, May 18, 2023 12:27 PM

To: 'Chris Cooke' <chris.cooke@cookefg.com>; 'kimlcook@msn.com' <kimlcook@msn.com>; 'angela@envisionideas.com' <angela@envisionideas.com>; 'jerrybond@mac.com' <jerrybond@mac.com>; 'jthompson2235@yahoo.com' <jthompson2235@yahoo.com>; 'Elizabeth Cooke' <elizcooke@comcast.net>; 'Andy.mattingly@forumcu.com' <andy.mattingly@forumcu.com>; 'Tim Mattingly' <tim@indyamr.com>; 'Jacquelyn Thompson' <jacque@kineticrecreation.com>; 'Freddie McClure' <freddiemcclure@gmail.com>; 'lauraworld@mac.com' <lauraworld@mac.com>; 'Joseph Bond' <jerrybond@icloud.com>; 'Jerry Bond' <jerrybond@mac.com>; 'Michelle Morrow' <pbmorrow1@comcast.net> <pbmorrow1@comcast.net>

Cc: Baumgartner, Megan <baumgartnerm@fishers.in.us>

Subject: RE: Neighborhood Meeting Recap - Drive Planning

Good afternoon,

We have scheduled a second neighborhood meeting for **next Thursday, May 25 at 5PM** for the Drive Planning team to present their revisions based on the feedback from the first meeting.

***Please note new location.** This meeting will be held at Fishers City Services, 3 Municipal Drive, Fishers, IN 46038.

From: Vukusich, Megan

Sent: Friday, May 12, 2023 8:57 AM

To: Chris Cooke <chris.cooke@cookefg.com>; 'kimlcook@msn.com' <kimlcook@msn.com>; 'angela@envisionideas.com' <angela@envisionideas.com>; 'jerrybond@mac.com' <jerrybond@mac.com>; 'jthompson2235@yahoo.com' <jthompson2235@yahoo.com>; Elizabeth Cooke <elizcooke@comcast.net>; Andy.mattingly@forumcu.com; Tim Mattingly <tim@indyamr.com>; Jacquelyn Thompson <jacque@kineticrecreation.com>; Freddie McClure <freddiemcclure@gmail.com>; lauraworld@mac.com; Joseph Bond <jerrybond@icloud.com>; Jerry Bond <jerrybond@mac.com>; Michelle Morrow <pbmorrow1@comcast.net> <pbmorrow1@comcast.net>

Cc: Baumgartner, Megan <baumgartnerm@fishers.in.us>

Subject: Neighborhood Meeting Recap - Drive Planning

Good morning all –

Sending a summary of what was discussed at last night's neighborhood meeting. Another neighborhood meeting will be scheduled once we receive revisions from the petitioner. I will be sure to share updates as we receive. Please note, this item will go before City Council on Monday 5/15 for an introduction and will go before Plan Commission on 6/7 for the public hearing.

Items discussed:

- Limit the number of parking spaces. Moore Dentistry currently has 24 parking spaces. Neighbors would like to see similar parking spaces for this property.
- Limit square footage. Moore Dentistry is currently 4,500 sq ft. Neighbors would like the square footage to be reduced to align with the dentist office.
- Architecture should mirror pitched roof residential and be limited to 1 story.
- Explore site access off of Kroger parking lot. Preference would be to eliminate vehicular access on 116th.
- Uses limited to office only.

- All lighting fixtures shall be full-cut off, with a zero-foot candle lighting level at the property line; During off-hours, lighting shall be limited to the amount required for security purposes only.

From: Chris Cooke
To: Wukosch, Megan
Cc: Elizabeth Cooke; Andy Mattingly@forumcu.com; Tim Mattingly; Jacquelyn Thompson; Freddie McCurs; lauraworld@mac.com; Joseph Bond; Jerry Bond
Subject: FW: Magnolia Grove -- Proposed rezone west of 116th and Olio, Dec 7 Plan Commission agenda
Date: Tuesday, February 28, 2023 12:34:09 PM
Attachments: image001.png
image002.png
image003.png
image004.png

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Megan, thanks in advance for your help on these items. Chris Cooke

1. Please include my email (below) in the record for the revised Magnolia Salon proposal (April Plan Commission agenda).
2. Can you email me any info on the "new" version of the Magnolia salon as it becomes available? We hear some changes were made, but have not seen anything yet.
3. Farr Property on 116th -- If your department receives a proposal for the Farr property (13562 E. 116th -- next to Moore Berry Dentistry) I would appreciate you adding this email in the Plan Commission's information packet.
4. If a Farr property request is received, please email/forward any proposed plans to me as they become available (or let me know how to request them).
5. The Farr property currently has a very large sign picturing a two story, multiple tenant office building. I would note that all 116th and Olio PUDs have height limits and square footage limits for this corner, and green space requirements.
6. There is currently a 6' construction fence all the way around the Farr parcel. The fence is blocking the sidewalk -- you have to walk in the street to get around the fence. Is this allowed? (and it is really ugly too.....)

Thanks again, Chris

From: Chris Cooke, CIMA®
Sent: Wednesday, November 16, 2022 5:18 PM
To: petersonp@fishers.in.us; stollers@fishers.in.us; zimmermant@fishers.in.us; hstevenson@legalgroup.com; dawn.lang@me.com
Cc: coblec@fishers.in.us; weingardt@fishers.in.us; Scott Fadness <scott@scottfadness.com>
Subject: Magnolia Grove -- Proposed rezone west of 116th and Olio, Dec 7 Plan Commission agenda

Fishers Plan Commission, Fishers City Council, Mayor Fadness,

Magnolia Grove salon is back for a second round of meetings in front of the plan commission (116th St, west of Olio Rd), and in the near future there is likely a proposal for the Farr property (same part of 116th/Olio). The original staff report recommending approval of the Magnolia Grove Salon (Plan Commission agenda for December 7, 2022) suggested that "only this single parcel is under discussion" and that the rest of the 116th and Olio corner should not be considered (i.e. the Kroger Marketplace PUD/SuperKroger). We believe that is incorrect, ignores past precedent regarding this corner, and that any zoning in this area MUST include the history of the Olio/116th St zoning process, the NW corner Olio/116th PUD documents, their approval process, and various commitments made by Fishers personnel and area developers. **These commitments are public record and discussed in the Fishers Town Council YouTube video from March 3, 2014. Fishers Town Council, 3/3/2014, First Reading for SuperKroger at 116th and Olio Rd (35 min -- 46 min)** <https://www.youtube.com/watch?v=HzqdoLN7eZQ> (35min mark to the 46 min mark)

Historical Note: 116th and Olio corner has had approximately 100 public meetings over the last 20 years with attendance including well over 200 residents from the area, various developers, and Fishers' personnel as seen/heard in the video. Newer members of the Plan Commission and Fishers City Council may not remember the hundreds of hours of work by area residents, developers, and Fishers personnel and the 100+ meetings before reaching these various agreements and commitments. VIDEO/AUDIO history will assist our current plan commission members when discussing upcoming rezoning requests on this corner.....please listen to the 2014 Fishers Town Council Member's words in the video below (including Mayor Fadness and others!). I also suggest opening the Closed Caption (CC) so you can see their words (some audio is hard to hear).

Fishers Town Council, 3/3/2014, First Reading for SuperKroger at 116th and Olio Rd (35 min -- 46 min)
<https://www.youtube.com/watch?v=HzqdoLN7eZQ>

1. **Video evidence of zoning commitments** -- Fishers Town Council member Stuart Easley opens the discussion and talks about this area and the extensive zoning history. The Video includes discussion of the 116th and Olio Super Kroger (Kroger Marketplace PUD) when brought to Fishers Town Council for first reading (RIGHT NEXT TO MAGNOLIA SALON PROPERTY and the pending FARR PROPERTY). Various Town Council members talk about this corner. You very clearly hear at least **TWO COMMITMENTS** noted by various Fishers Town Council members at this PUBLIC MEETING. There are also slides in the presentation documenting these commitments.
 - a. The amount of total retail/commercial square footage at 116th and Olio was to be strictly limited.
 - b. The distance the retail/commercial would extend from the corner of 116th and Olio would be limited to 1400 feet.
 - c. There are height, lighting, and other restrictions in the PUD as well.
2. **Fishers Residents justifiably BELIEVED and RELIED UPON these commitments** from our Fishers Town Council, documented in the Kroger Marketplace PUD, and agreed to by all parties. Commitments were made at various public meetings and specified the limited distance that retail would be allowed to creep from the Olio corner. These commitments are public record giving notice to future developers (like Magnolia Grove) of the square footage and distance limits. This is especially important when the commitments came over many years (2003 -- present), during about 100 public meetings relating to the 4 corners of this intersection, and between various Fishers representatives, developers, and over 200 residents of this area (see #3).
3. The colorful, detailed Fishers Future Land Use Map (adopted in 2021) found on page 19 of the Fishers 2040 Land Use document ratifies the history of this corner and these commitments.
<https://www.fishers.in.us/DocumentCenter/View/26139/Fishers-2040---Land-Use>. This recently adopted map designates the SuperKroger fence/pond as the western edge of the commercial district (1400 feet per the PUD), and designates the proposed Magnolia Grove property as RESIDENTIAL/RZ. **Residents have a right to rely upon this recently adopted map.**
4. The Fall Creek Community Organization (**FCCO**) represented over 200 residents of Fall Creek Township from 2003 to about 2015. The **FCCO** actively worked with Fishers and local developers to make this 116th/Olio corner special and achieve better zoning outcomes. **FCCO** reached agreements on buffers between commercial and residential, commercial square footage limits, and maximum distance from the intersection. The **FCCO** was present at every Plan Commission and Town Council meeting for over 10 years. Note: FCCO disbanded after the 2014 SuperKroger zoning as we believed the zoning was well defined on all 4 corners of the intersection and all negotiations with developers and the Town/City of Fishers on this corner were completed.
5. Currently there is a single dentist's office on the **OUTSIDE** of the COMMERCIAL MOUND/FENCED area. This dental office "use and intensity" should set the MAXIMUM INTENSITY precedent for any commercial use allowed on the OUTSIDE of the commercial mound/fence area. Also, commercial uses farther from the corner should be LESS INTENSE as we go to the west. The most intense uses should be inside or next to the mound commercial area. Dentist's Office is approx. 5000 sq ft, 7am -- 7pm weekdays only, 25 parking spaces, about 6-8 customers per hour, and strongly resembles a single family home. (Magnolia Grove is originally proposed as a 9000 square foot, 23 stylist salon, PLUS a dog washing business, over 57 parking spots. Expected customers would be 25 to 30 per hour at this type of facility). WAY TOO INTENSE VERSUS THE EXISTING PRECEDENTS (DENTIST BUSINESS) and the zoning history on this corner.

THANK YOU TO OUR PLAN COMMISSION AND CITY COUNCIL FOR REVIEWING THIS IMPORTANT HISTORY OF THE 116th and OLIO RD. CORNER.

Chris Cooke

ADDITIONAL INFO IF NEEDED REGARDING THE TOWN COUNCIL MEETING/VIDEO

Screenshots and transcripts of the 3/3/2014 Fishers Town Council meeting are shown below. These items may further assist your understanding of this 116th and Olio corner and its zoning history.

TRANSCRIPT OF VIDEO --

<https://www.youtube.com/watch?v=HzqdoLN7ezQ> -- Fishers Town Council, 3/3/2014, First Reading for SuperKroger at 116th and Olivo Rd, 35 min -- 46min >> 3 agenda items related to proposed SuperKroger at 116th & Olivo (#10, 11, 12)

35 min -- Stuart Easley -- the next 3 items (10/11/12) relate to planned SuperKroger -- Stuart offers his historic perspective -- "the whole corner of Olivo/116th has much history with the residents and much planning in the original PUD. **David George** also on Plan Commission at the time. Developers and residents spent many meetings to get aligned on limiting retail square footage per acre and limits on commercial area etc and this petition deviates from that. *This deviates substantially from past agreements.* Stuart not interested in 1st reading because of this prior alignment. Suggest no first reading per Stuart as this new proposal violates the spirit of the area and existing PUD. And the longstanding alignment of the residents and the town and existing developers.....send a clear signal about the intent of the town.....extensive work on size, scale, type, distance from intersection, etc. Plan Commission is public hearing, then it could come back to Town Council if passes Plan Commission. Historical context -- neighborhood retail, limited size, distance, etc all agreed upon....."

Scott Fadness -- Adam give a summary, and then have council weigh in.

Adam Zach(?)..... -- plan dept -- intro of location, changes requested are noted

Stuart Easley -- "Noting that since original meetings there are all new faces in the planning department and they may not know the history....long public input process."

Adam -- discusses annexing 6.8 acres of property, access rights on 118th st, and rezone from R2 to PUD-C. demo old Kroger, build new Kroger, amend existing PUD, **LIMIT AS TO HOW FAR RETAIL COULD EXTEND.** Many clauses memorializing what Stuart Easley is referring to. Adjust numbers to make all bigger. **Notes limit of 1000 ft. Need to extend to 1400' limit.** Taller buildings, max parking adjusted. Outdoor displays changed.

Scott Fadness -- recommends NO first reading on rezone/PUD and tabling the annexation.

Stuart Easley -- Plan Commission come back with (can't hear this??)

Pete Peterson -- Motion to table annexation, no 1st reading on rezone or PUD amendments (unanimously approved)

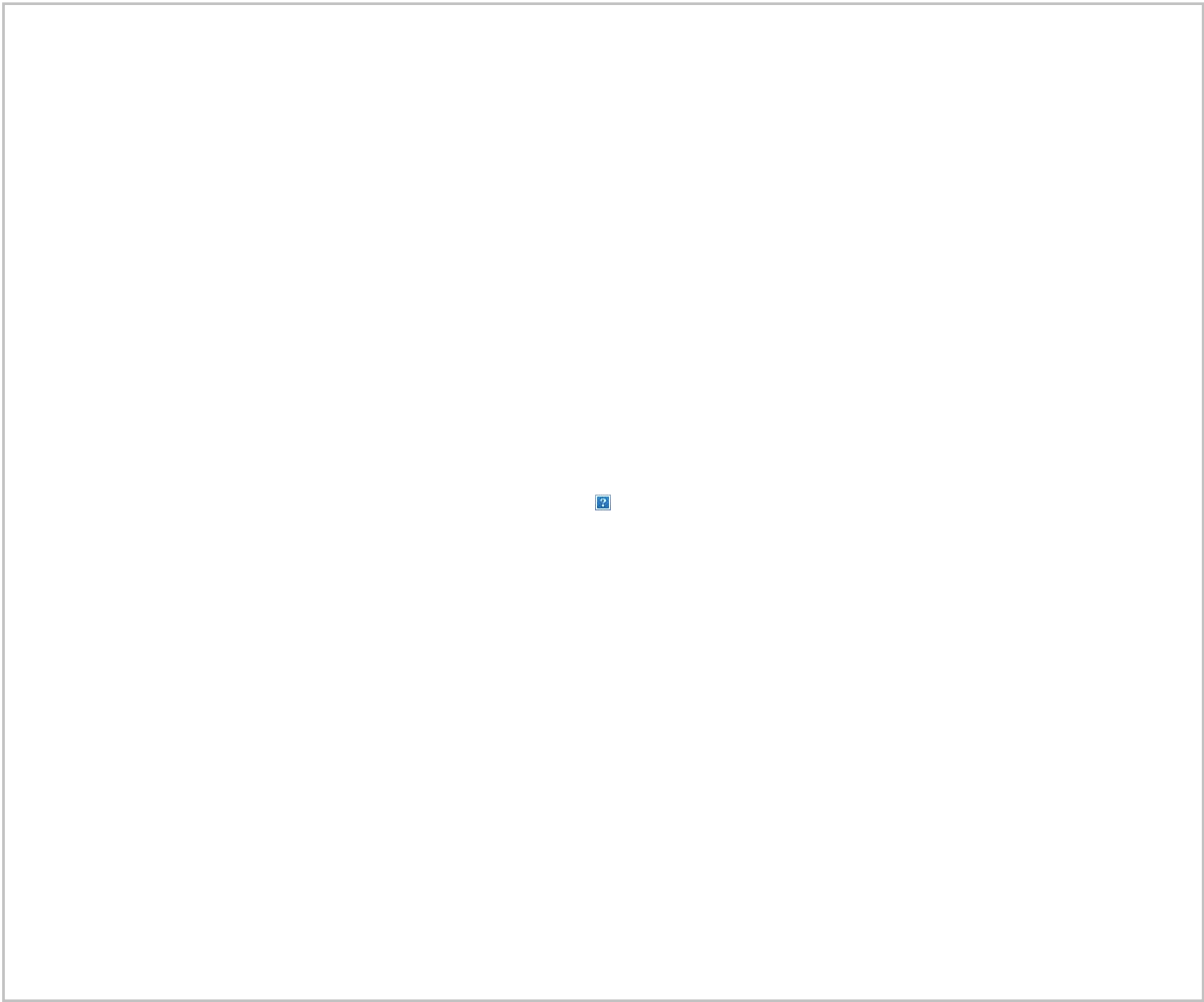
New Member on Council (name?) -- I appreciate Stuart and David's comments on this and it misses the vision of the PUD. I align with Stuart and agree with lots of time spent on these existing plans.

Pete Peterson -- thanking Mr Cooke for showing up and Pete agrees with Stuart's comments.

David George -- I remember all of this area. Different developers, but all aligned. I REMEMBER RETAIL SQ FT PER ACRE AND DISTANCE FROM THE INTERSECTION. (limits on commercial -- WHERE THE LINE WAS/WILL BE). Both sides came to agreement on it.....

3 Pictures below are captured from the video's presentation slides.....

1. Red square around proposed SuperKroger area including new parcel at center of discussion.
2. New parcel being annexed and rezoned, and distance from center of intersection modified from 1000' to 1400'. (Magnolia is WEST of this parcel and OUTSIDE THE 1400' LIMITS SET BY THIS PUD AND ZONING PROCESS).
3. PUD amended language including a 1400' limit on commercial. (Magnolia would not be within these limits).



Thanks for reading this far, and thanks for your consideration,

J. Christopher Cooke, CIMA®

Partner

Direct: (317) 814-7810 | Chris.Cooke@cookefg.com

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Advisory Plan Commission Staff Report

Meeting Date: June 7, 2023

DEPARTMENT CONTACT:

Megan Vukusich, Department of Planning & Zoning, vukusichm@fishers.in.us

CASE NUMBER:

RZ-23-2

PETITIONER:

Bill Butz of Kimley-Horn

PROPERTY ADDRESS/LOCATION:

13562 E 116th

REQUEST:

Consideration of a rezone of .98 acres from R2 to C1 with conditions to allow for the Drive Planning Office.

EXISTING ZONING:

R2

PROPOSED ZONING:

C1 with conditions

FISHERS 2040:

Suburban Residential

LOT SIZE: .98

LOCATION MAP



STAFF RECOMMENDATION

☐ Favorable Recommendation ☐ Unfavorable Recommendation ☒ No Recommendation

PETITION OVERVIEW:

The current zoning of the property is R2-Residential and there is an existing vacant single-family home on the site. The petitioner is requesting a rezone to the C1 zoning district to allow for the proposed use of an office. After meeting with neighbors to discuss concerns regarding this development the petitioner has agreed to the following conditions:

Parking - The total number of parking spaces shall be limited to 24. This is the same as the Moore Dentist office building to the east.

Building Area - Total building area to be no more than 6,500 SF.

Lighting - All lighting fixtures shall be full-cut off, with a zero-foot candle lighting level at the property line; During off-hours, lighting shall be limited to the amount required for security purposes only.

Single-Occupant - The building is to be occupied by a single tenant.

Use Limitations – The permitted uses shall be office only.

Tree Preservation – Applicant shall identify which trees they will preserve during construction.

Site Access – Application has agreed to install a ‘pork chop’ entrance design to ensure right-in, right-out only. A Traffic Memo from A&F Engineering is being provided to review traffic and site access.

ADDITIONAL ITEMS FOR CONSIDERATION:

Architecture

Staff and the neighbors have requested the architecture to be revised to include a pitched roof and be more residential in character, similar to the other residential conversions along 116th.

Development Standards

Any future development will be required to meet all development standards of the Fishers Unified Development Ordinance for a C1 zoning district, unless otherwise deviated from in the above conditions.

Fishers 2040

The Fishers 2040 plan lists the future land use as suburban residential.

SURROUNDING LAND USE & ZONING:

North: PUDC – Northwest Corner of 116th and Olivo PUD (Ordinance # 110514B) - Commercial

East: PUDC – Moore Dentistry PUD (Ordinance # 040212A) -- Commercial

South: R2 Residential / ER Estate Residential

West: PUDC – Northwest Corner of 116th and Olio PUD (Ordinance # 110514B) – Commercial

SUMMARY OF NEIGHBORHOOD MEETINGS AND PUBLIC COMMENTS:

Two neighborhood meetings were held on 5/11/2023 and 5/25/2023 to discuss this project with neighbors. During these meetings neighbors expressed concerns about the impact of additional commercial development in this area related to traffic and increased congestion.

Public Comments - Public Comments were received prior to the additional commitments being added by the petitioner but are included on the agenda for the Plan Commission. Comments have been received from the following residents:

- Donna Bond - 13555 E 114th St
 - Angela & Andy Mattingly - 13487 E 116th
 - Jacquelyn Thompson - 13429 E 116th St
 - Chris & Elizabeth Cooke - 13625 E 114th St
-

STAFF RECOMMENDATION:

When making their decision, Plan Commission shall be reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff has no recommendation for Plan Commission. This item is anticipated to go to the City Council on June 19, 2023 for final reading.

STAFF RECOMMENDATION

☐ Favorable Recommendation ☐ Unfavorable Recommendation ☒ No Recommendation

ORDINANCE NO. 051523D
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF
THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA

This is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance (“UDO”) for the City of Fishers (the “City”), previously enacted by the City pursuant to its authority under the laws of the State of Indiana IC 36-7-4 et seq., as amended.

WHEREAS, the City’s Plan Commission has conducted a public hearing on June 7th, 2023 for case RZ-23-2 as required by law in regard to the proposal to amend the City’s Official Zoning Map to designate the real estate identified on Exhibit A, attached hereto and incorporated herein (the “Real Estate”), as within the C1 Commercial zoning district, with conditions; and

WHEREAS, the Plan Commission at its June 7th, 2023 meeting sent a _____ recommendation to the Fishers City Council by a vote of ____ in favor and ____ opposed; and

WHEREAS, to support its long-term vision for the City, the Council desires to adopt certain amendments to the Official Zoning Map.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AS FOLLOWS:

Section 1. Declaration. The City’s Official Zoning Map is hereby amended to designate the Real Estate as within the C1 Commercial zoning district with the following conditions:

- **Parking** - The total number of parking spaces shall be limited to 24.
- **Building Area** - Total building area to be no more than 6,500 square feet.
- **Lighting** - All lighting fixtures shall be full-cut off, with a zero-foot candle lighting level at the property line; During off-hours, lighting shall be limited to the amount required for security purposes only.
- **Single-Occupant** - The building is to be occupied by a single tenant.
- **Use Limitations** – The permitted use shall be office only.
- **Tree Preservation** – Applicant shall identify which trees they will preserve during construction.
- **Site Access** – Access shall be right-in, right-out only and should be design to prevent vehicles from turning left out of the site.
- Development shall be consistent with the site plan and architecture as presented to City Council at Final Reading.

Section 2. Purpose and Intent. The purpose and intent of this text amendment is to support the City’s long-term vision for the City.

ORDINANCE NO. 051523D

Section 3. Approval. This amendment shall become effective upon its adoption and publication in accordance with Indiana law. Development of the Real Estate shall be governed entirely by the provisions of the C1 Commercial zoning district and the provisions of the UDO.

SO ORDAINED by the Common Council of the City of Fishers, Indiana, on this ____ day of _____ 2023.

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

YAY

NAY

ABSTAIN

	Todd Zimmerman, President		
	John Weingardt, Vice President		
	C. Pete Peterson, Member		
	Cecilia C. Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 19th day of June 2023, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE



MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

ORDINANCE NO. 051523D

“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.” Lindsey Bennett

ORDINANCE NO. 051523D

Exhibit A
Legal Description of Real Estate

A part of the East Half of the Southeast Quarter of Section 35, Township 18 North, Range 5 East, described as follows:

Begin at a point 208.72 feet East of the Southwest corner of the East Half of the Southeast Quarter Section 35, Township 18 North, Range 5 East, run thence North Parallel with the West line of said East Half 208.72 feet to a point. Thence East parallel With the South line of said South East Quarter 208.72 feet to an iron stake. Thence South 208.72 feet to the intersection with the South line of said quarter. Thence West Along this South line 208.72 feet to the place of beginning, containing 1 acre more or Less.

13484 E 116th St

13-11-35-00-00-039.000

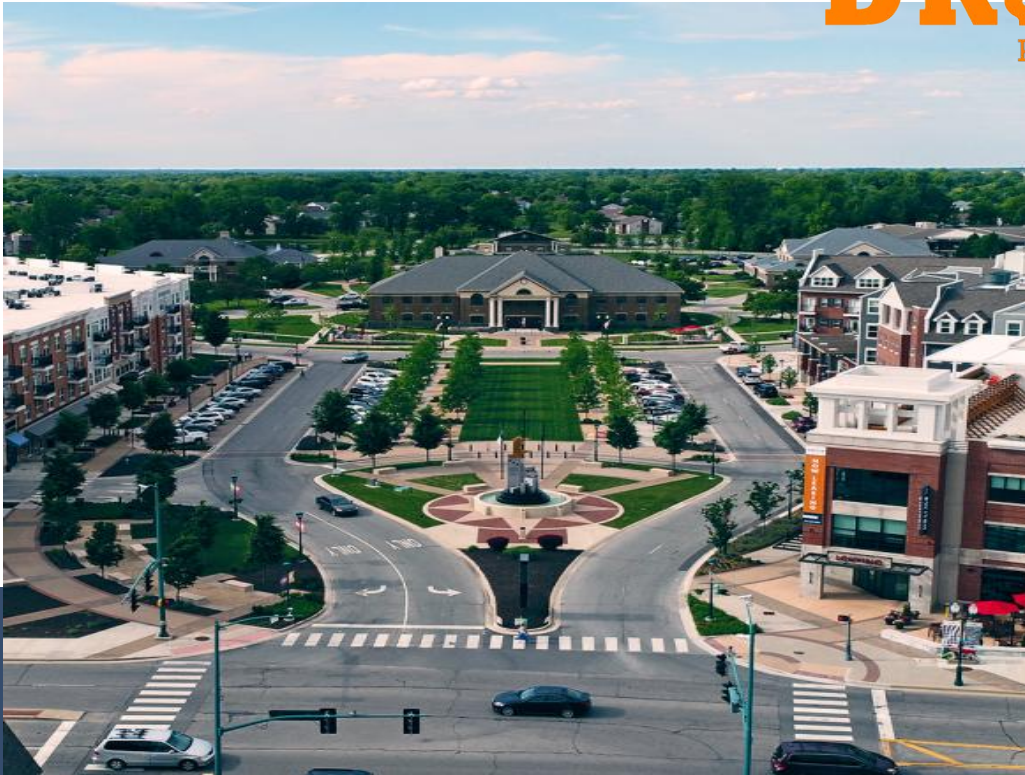
ORDINANCE NO. 051523D

EXHIBIT B
Location Map



Address: 13484 E 116th St

Parcel ID: 13-11-35-00-00-039.000



DRIVE PLANNING PROJECT PROPOSAL

ADVISORY PLAN
COMMISSION PROJECT
PROPOSAL SUBMISSION

JUNE 7th, 2023

A PROPOSAL BY:





10000 MARSHALL DRIVE, LENEXA, KS 66215

913.340.0988 | DIBUILD.COM

June 7th, 2023

Advisory Plan Committee
C/O Fisher City Council
1 Municipal Dr, Fishers IN.

RE: Drive Planning Regional Office; Proposed Office & Introduction

Dear Neighbors,

We are very pleased to submit for review and consideration, our proposed vision for the Drive Planning Regional Office on 13562 116th Street, Fishers. We have worked collaboratively and with due diligence, with adjacent neighbors, striving to be respectful & contributing to the neighborhood. With a vested interest in the property and surrounding areas, Drive Planning seeks to be a contributing factor to the community, while still honoring our franchise guidelines & franchise aesthetics of our offices across the country. Community charettes have provided opportunities for design concessions, which Drive Planning has incorporated into the proposed project:

- Defined hours of operation
- Flexible Office Space – Reduced Foot traffic
- Retain Viable Large Trees
- On Site Storm Detention Intentions
- Buffered ‘Reduced View’ Landscaping
- Parking – under allowable
- Programable Site Lighting - Photometric Engineering
- Right In/Right Out Only Traffic
- Pervious Concrete Pavement
- Eve Heights Respective of Massing Index – Respective to Height of ‘Mound’
- Modern Yet Traditional Design – Exposed Wood Timber & Glass
- Potential Interparcel Access to Kroger
- Tax Revenue Generation for City of Fishers

Thank you for your consideration, we look forward to your comments.

Sincerely,

Jason W. Schnurr

Jason W. Schnurr , VP of New Construction

Cc: Cheryl Sargent, Brooke Schnurr

PROPOSED SITE PLAN

PROPOSED PROJECT

DOCUMENTS SUBMITTED:

JUNE 7th, 2023

A PROPOSAL BY:

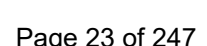


[illegible]

**OFFICE BUILDING - FISHERS
13562 E. 116 ST.
FISHERS, INDIANA
SITE PLAN**

Professional Seal & Signature

Drawn By: LPC	Sheet C200
Checked By: KAC	
Date: 05/24/2023	
Scaler:	
Project No. LW-00361	





PROPOSED BUILDING CONCEPT

PROPOSED PROJECT

DOCUMENTS SUBMITTED:

JUNE 7th, 2023

A PROPOSAL BY:









DESIGN CHARETTE CONCESSIONS

PROPOSED PROJECT

DOCUMENTS SUBMITTED:

JUNE 7th, 2023

A PROPOSAL BY:





- **LIMIT QUANTITY PARKING SPACES:**

Moore Dentistry currently has 24 parking spaces. Neighbors would like to see similar parking spaces for this property.

- **COMPLIED**

- **LIMIT BLDG AREA:**

Moore Dentistry is currently 4,500 sq ft. Neighbors would like the square footage to be reduced to align with the dentist office.

- **CONSIDERATIONS PENDING PLANNING STAFF COMMENTARY AND REVIEW**

- **ROOF PITCH:**

Architecture should mirror pitched roof residential and be limited to 1 story.

- **CONSIDERATIONS PENDING PLANNING STAFF COMMENTARY AND REVIEW**

- **SITE ACCESS:**

Explore site access off of Kroger parking lot. Preference would be to eliminate vehicular access on 116th.

- **CONVERSATIONS INITIATED, PENDING RESPONSES FROM KROGER**

- **LIMIT USE:**

Uses limited to office only.

- **DEVELOPER/OWNER IN AGREEMENT**

- **LIGHTING CONSIDERATIONS:**

All lighting fixtures shall be full-cut off, with a zero-foot candle lighting level at the property line; During off-hours, lighting shall be limited to the amount required for security purposes only.

- **COMPLIED**

- **TREE PRESERVATION:**

Request to preserve large trees in front of the property. Can this be achieved during construction?

- **SITE MODIFICATIONS TO SALVAGE TREES UNDER EVALUATION**



- **SIDEWALK SETBACKS:**

Adjust sidewalk 10' off Roadway.

- COMPLIED

- **BICYCLE AMENITY:**

Add 'Wrench & Bench' Amenity at West End of Property.

- COMPLIED

- **SEATING AMENITY:**

Add Seating Amenity at East End of Property.

- COMPLIED

- **RESIDENTIAL COMPONENTS:**

Increase Size of Exterior 'Porch' Area. Added West End Porch Amenity.

- COMPLIED

- **BUILDING SIGNAGE:**

Remove Building Signage at Exterior.

- COMPLIED. REVISED TO MONUMENT SIGNAGE.

- **EAVE HEIGHT:**

Reduce Eave Height.

- CONSIDERATIONS PENDING PLANNING COMMISSION REVIEW AND COMMENTS

THANK YOU



A PROPOSAL BY:



STEVEN J. FEHRIBACH, P.E.
PRESIDENT

R. MATTHEW BROWN, P.E.
VICE PRESIDENT

KAREN K. COLLINS, P.E.
VICE PRESIDENT

JOSEPH T. RENGEL, P.E.
VICE PRESIDENT

REGISTRATION
INDIANA
ILLINOIS
KENTUCKY
MICHIGAN
OHIO
MISSOURI
TEXAS

June 6, 2023

Mr. Jason Taylor, PE
Director of Engineering
City of Fishers
1 Municipal Drive
Fishers, Indiana 46038
taylorjm@fishers.in.us

Re: Drive Planning Office Building
116th Street

Dear Mr. Taylor,

Per the request of the City, I have reviewed the number of trips and the driveway operations for the above referenced project. The original calculations were based on a 12,000 square foot building, so there has been a reduction of generated trips. The number of trips that will be generated over an entire hour by the 6,500.00 square foot office building is shown in the following table:

Trip Generation Calculations					
Land Use	Size	AM Peak IN	AM Peak OUT	PM Peak IN	PM Peak OUT
Office Building	6,500 sq ft	9	2	5	9

As currently shown, the access point for the Drive Planning Office is east of the existing median. Therefore, this access point would be a full access driveway and would not impact the number of U-turns. Based on these findings, the number of trips generated would not cause any adverse effects to the location of the driveway or to the eastbound left-turn lane at Kroger.

If you have any questions or concerns, please contact me.

Sincerely,
A&F Engineering Co., LLC



Steven J. Fehribach, P.E.
President

From: [Michael Zaradich](#)
To: [Vukusich, Megan](#)
Subject: Flat Fork PUD - Opposition to Commercial Rezoning
Date: Thursday, May 18, 2023 8:30:45 AM

EXTERNAL SENDER: Please exercise increased caution. Do not open attachments or click links from unknown senders or unexpected email messages.

Dear Ms. Vukusich:

I am writing to express my strong opposition to the proposed rezoning of the property located at Georgia Road and 96th Street from residential to commercial in connection with the Flat Fork Planned Unit Development.

I have lived in The Reserve at Steeplechase in Fishers for nearly seven years. As a resident, I have always appreciated the quiet, peaceful nature of our community, and as a citizen, I am thankful our city planners have carefully managed residential and commercial zoning in a way that makes Fishers an attractive place to both live and open a business.

The proposed commercial rezoning will have a negative impact on our quality of life by bringing increased traffic, noise, and pollution to our neighborhood. The increased traffic would make it more difficult for residents and school buses to get around, and it would also make it more dangerous for children to play and ride their bikes. The noise from the commercial development would be disruptive and would make it difficult to relax or sleep. The pollution from the commercial development would be harmful to our health and the environment.

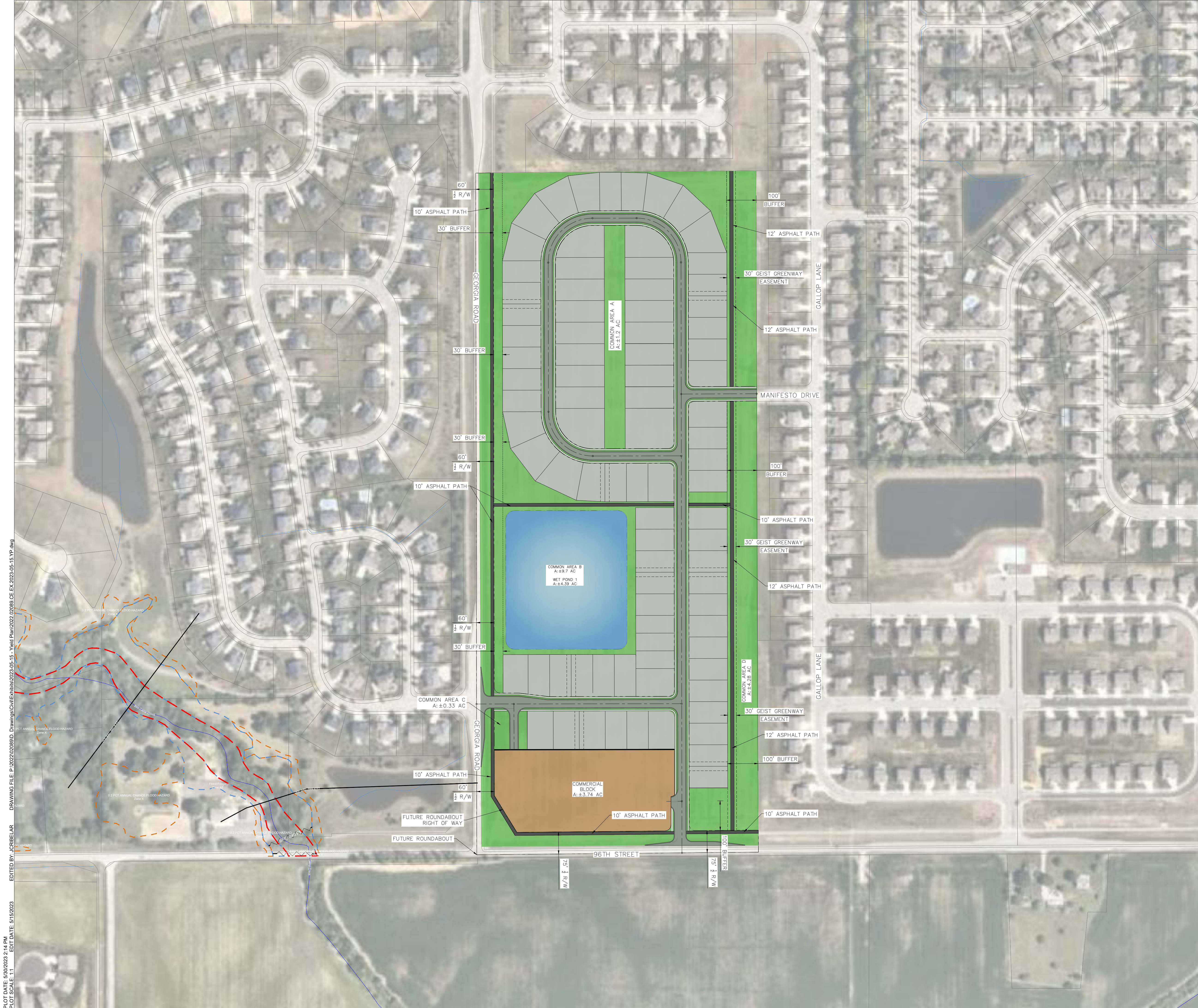
In addition to the negative impacts on our quality of life, the proposed rezoning would also decrease the value of our homes. We and our neighbors worked hard, saved and invested in order to be able to build or buy our houses and we continue to work hard, save and invest in our houses and property to do our part to make this a nice community to call home. A commercial development would make our neighborhood less desirable, which would make it more difficult to sell houses in the area and build equity for future investments in our businesses and homes.

We already live within a short drive to grocery, retail, and convenience stores as well as restaurants of many kinds, ice cream shops, salons, medical and dental offices, and gas stations. Speaking for myself, and likely the vast majority of residents in the area near the proposed development, none of us need nor want commercial businesses brought into our neighborhoods. If we wanted that, we would have chosen to build or buy a home within walking distance of commercial districts.

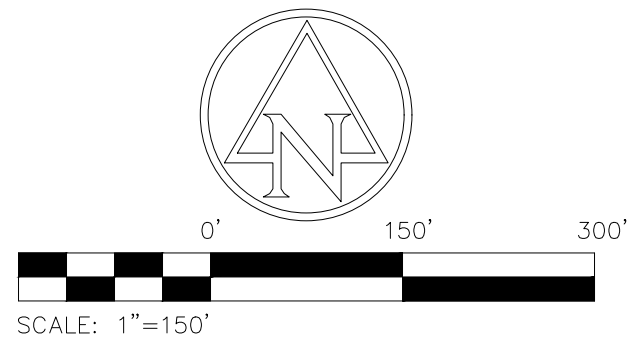
I urge the Planning and Zoning Department to reject the proposed commercial rezoning of the property located at Georgia Road and 96th Street as it will have a negative impact on residential property value and the quality of life for all of us who live near the proposed development.

Very truly yours,

Michael D. Zaradich, Esq.

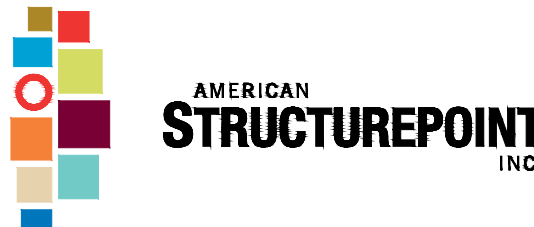


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PLOT SCALE: 1:1
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EDITED BY: JCRBELAR
EDIT DATE: 5/15/2023



SITE DATA TABLE

SITE ZONING:	PUD
GROSS AREA:	±50.39 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±9.79 AC. (19.5%)
COMMON AREA:	±15.51 AC. (30.7%)
WET POND AREA:	±4.39 AC. (8.7%)
BLOCK AREA:	±3.74 AC. (7.4%)
TOTAL LOT AREA:	±21.20 AC. (42.0%)
TOTAL LOTS:	85
GROSS DENSITY (LOTS/GROSS AREA):	1.7
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (73')
TYP. LOT DEPTH:	130'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	4,766 LF
12' ASPHALT PATH LENGTH:	2,184 LF
10' ASPHALT PATH LENGTH (ALONG FRONTAGES):	3,829 LF
TYP. R/W WIDTH:	50' (LOCAL ROAD) 100' (GEORGIA ROAD) 150' (96TH STREET)



9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

RYAN HOMES WEST

96TH STREET AND
GEORGIA ROAD

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
5/15/2023
PROJECT PHASE:
CONCEPTUAL

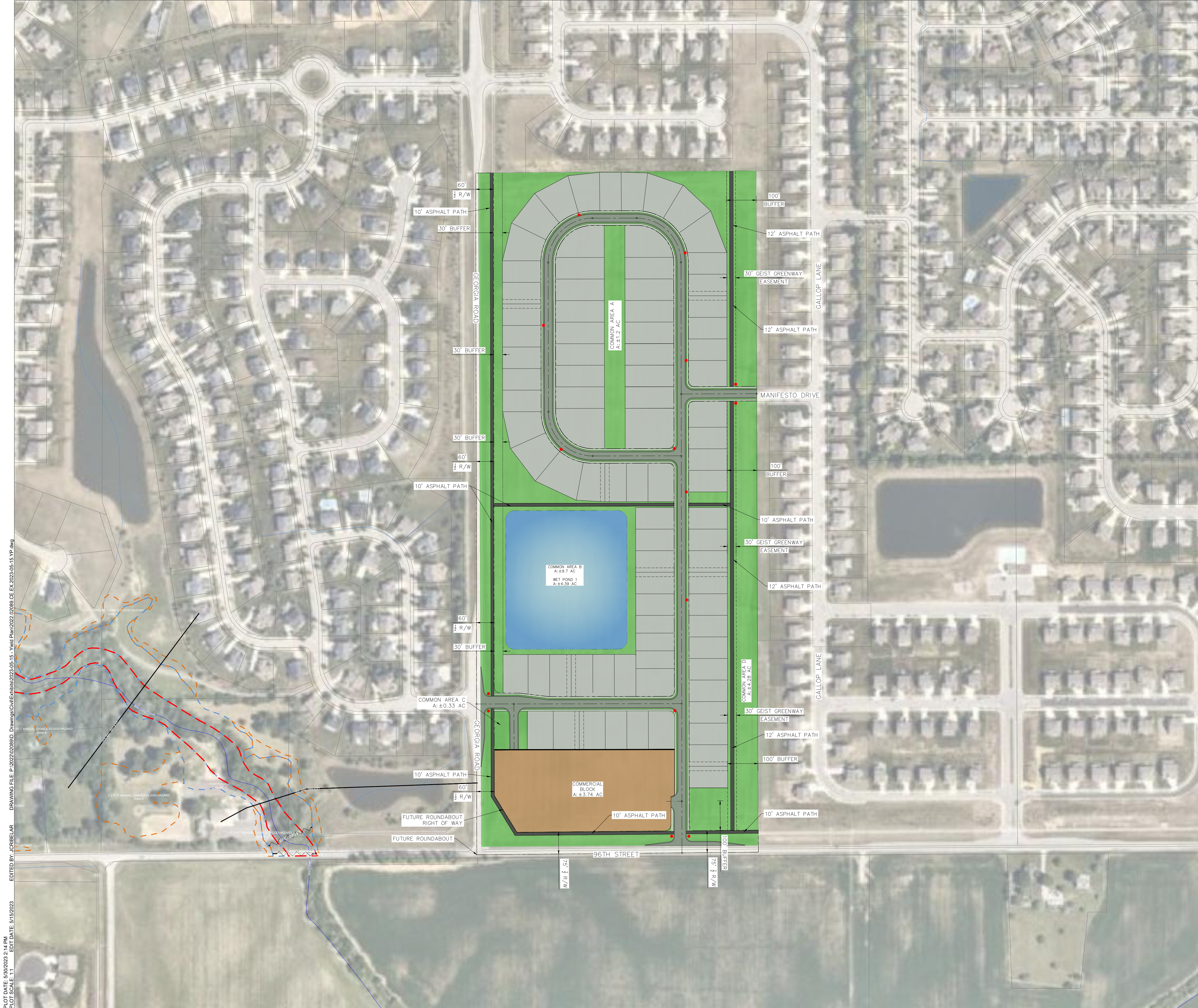
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

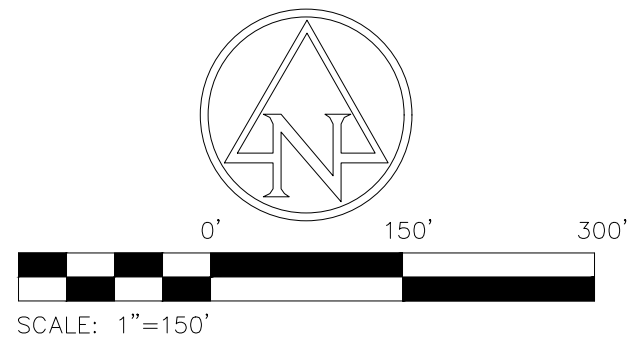
Project Number 2022.02089

YIELD PLAN

EX 1



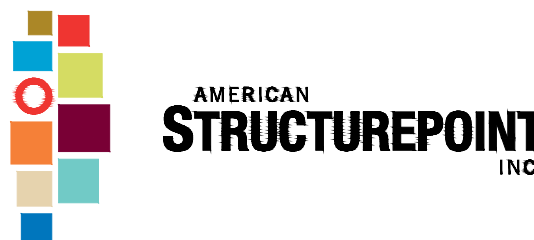
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PLOT SCALE: 1:1
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EDITED BY: JCRBELAR



SITE LEGEND

 LIGHT POLE

Ryan Homes



9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

RYAN HOMES WEST

96TH STREET AND
GEORGIA ROAD

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
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PROJECT PHASE:
CONCEPTUAL

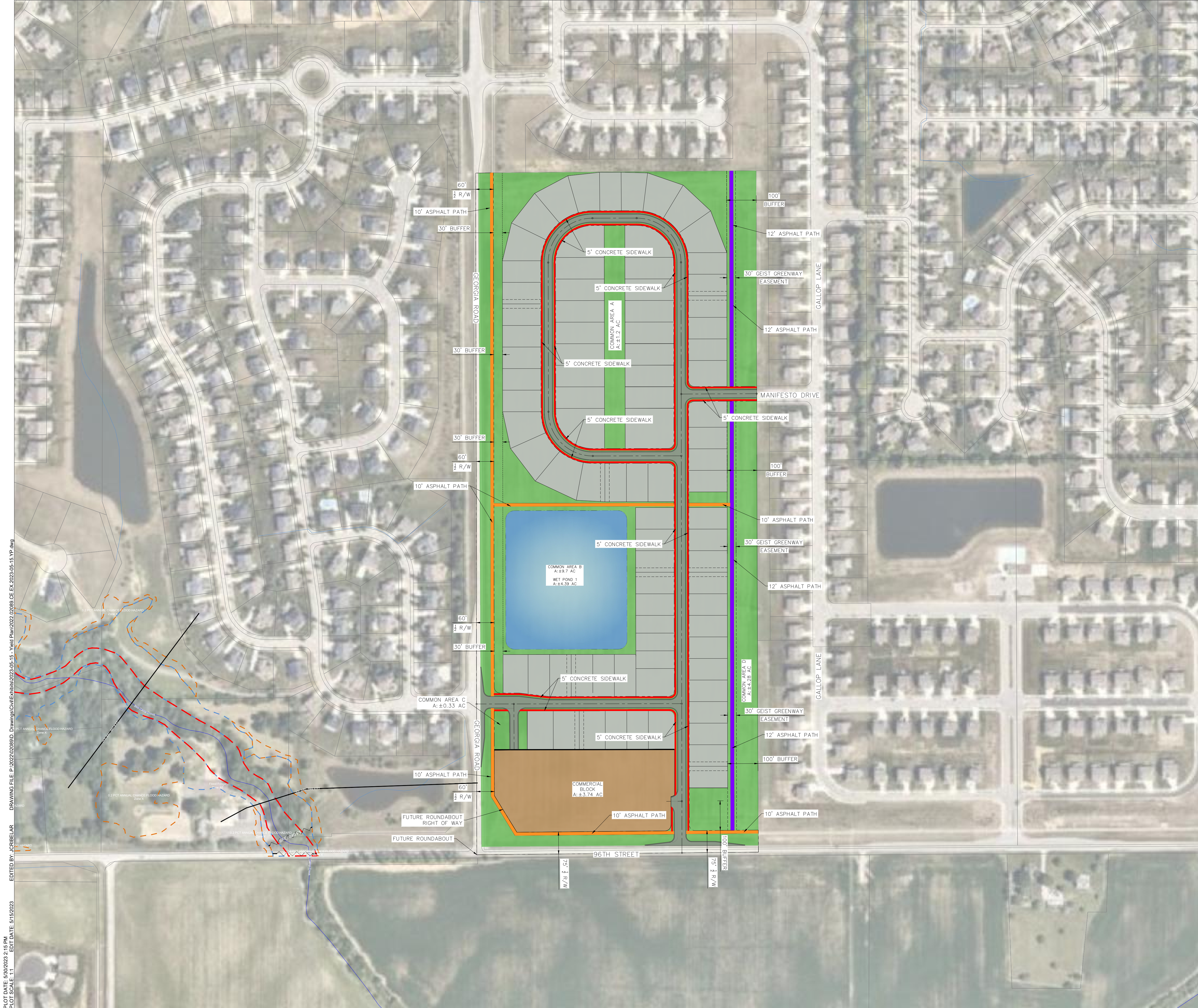
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

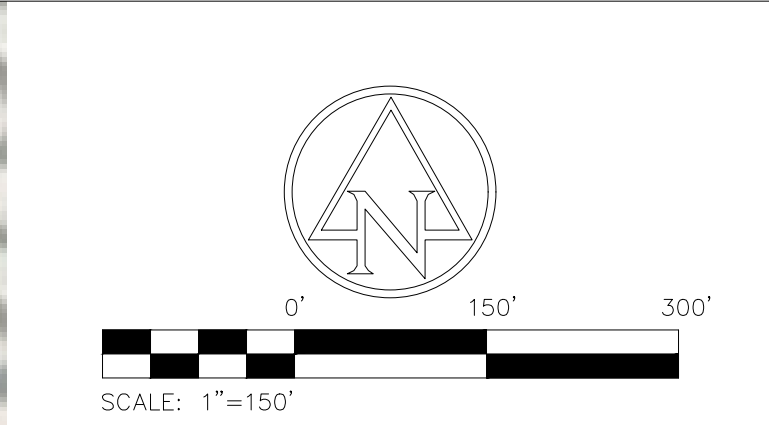
Project Number 2022.02089

**LIGHTING
PLAN**

EX 2



PLOT DATE: 5/15/2023 2:15 PM
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EDITED BY: JCRBELAR
EDIT DATE: 5/15/2023



SITE DATA TABLE	
5' CONCRETE SIDEWALK:	8,650 LF
10' ASPHALT TRAIL:	3,829 LF
12' ASPHALT TRAIL:	2,184 LF

SITE LEGEND	
—	5' CONCRETE SIDEWALK
—	10' ASPHALT PATH
—	12' ASPHALT PATH

9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

RYAN HOMES WEST

96TH STREET AND
GEORGIA ROAD

Fishers, IN

CERTIFIED BY

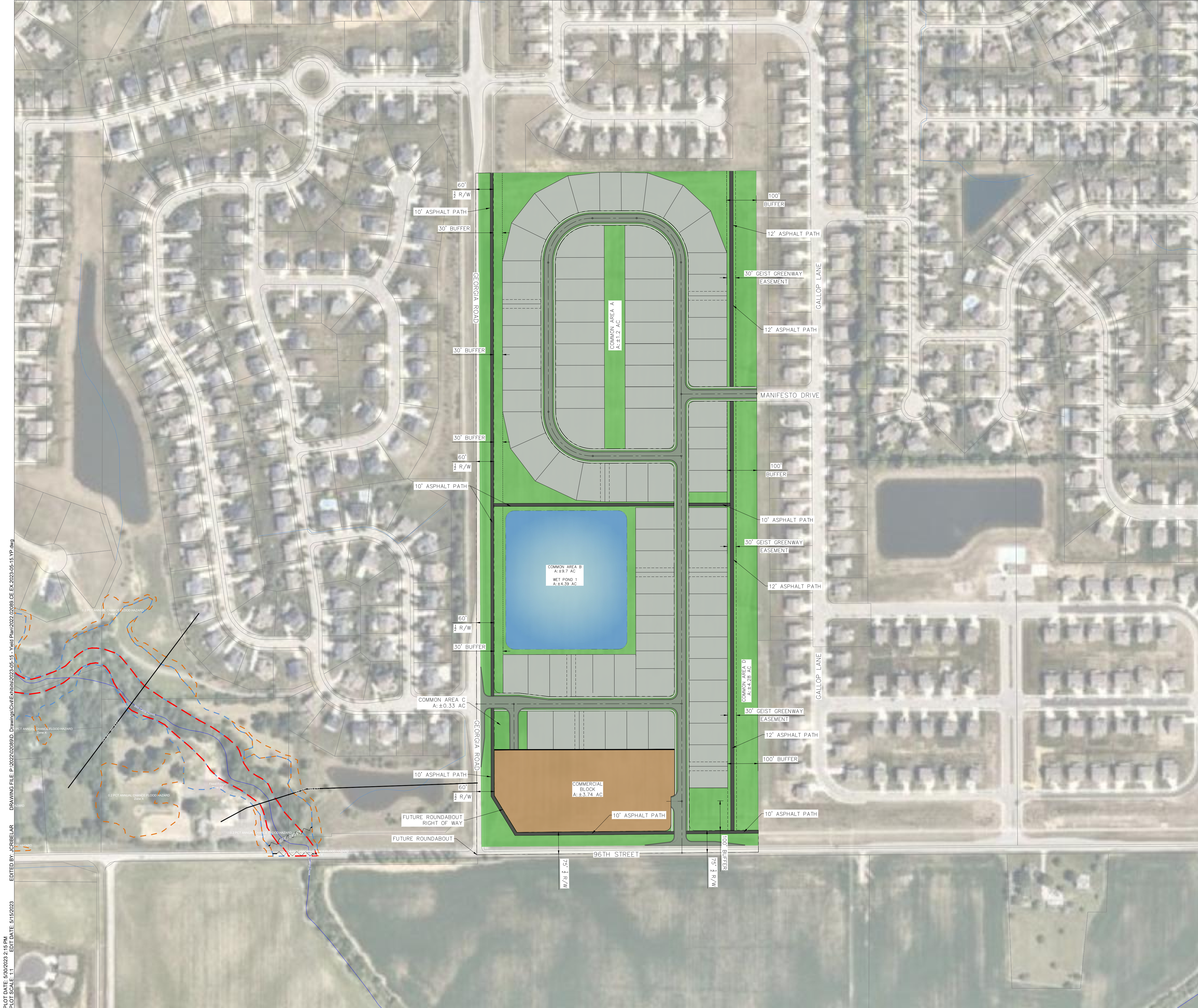
ISSUANCE INDEX	
DATE:	5/15/2023
PROJECT PHASE:	CONCEPTUAL

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

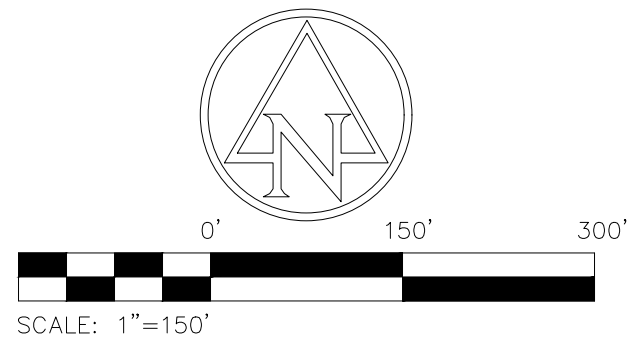
Project Number 2022.02089

**PEDESTRIAN
PLAN**

EX 3

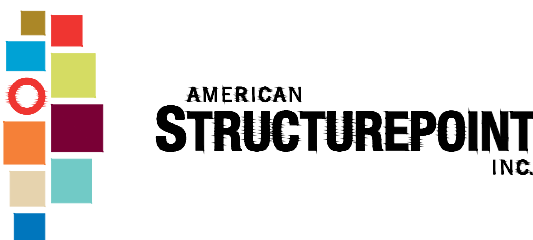


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EDITED BY: JCRBELAR
EDIT DATE: 5/15/2023



SITE DATA TABLE

SITE ZONING:	PUD
GROSS AREA:	±50.39 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±9.79 AC. (19.5%)
COMMON AREA:	±15.51 AC. (30.7%)
WET POND AREA:	±4.39 AC. (8.7%)
BLOCK AREA:	±3.74 AC. (7.4%)
TOTAL LOT AREA:	±21.20 AC. (42.0%)



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RYAN HOMES WEST

**96TH STREET AND
GEORGIA ROAD**

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
5/15/2023
PROJECT PHASE:
CONCEPTUAL

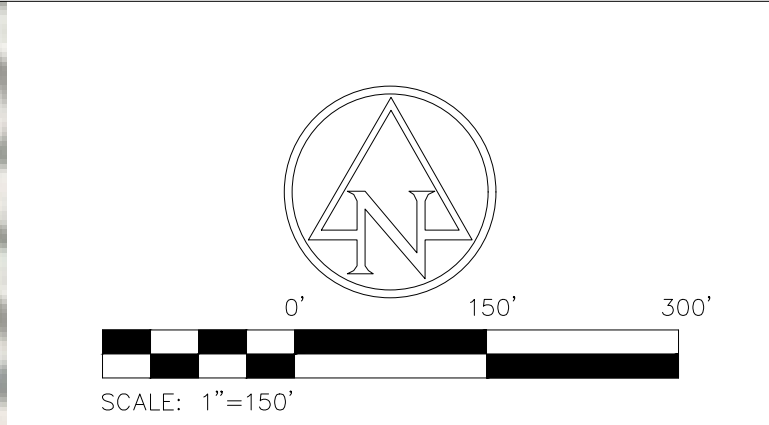
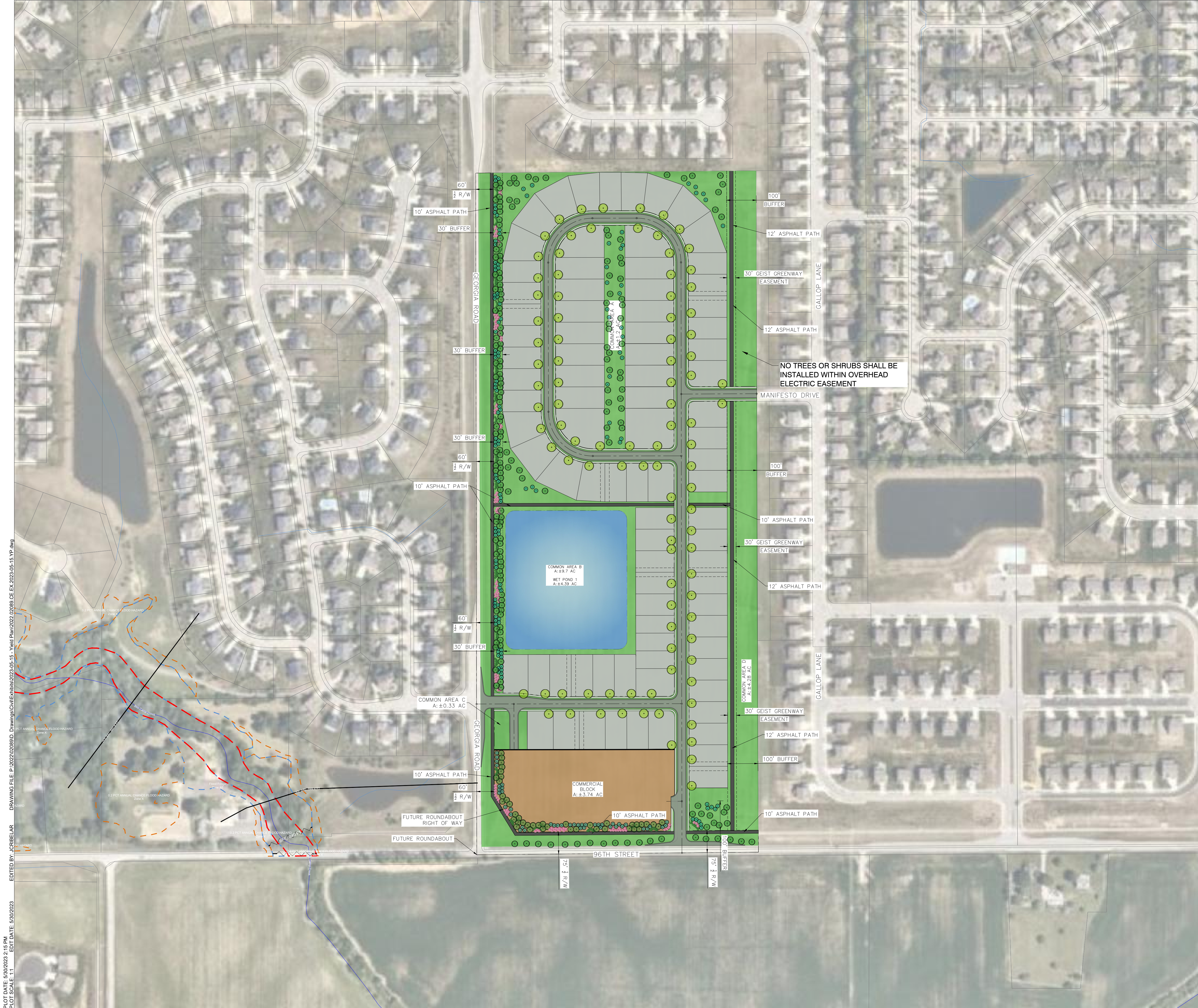
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

Project Number 2022.02089

**OPEN SPACE
PLAN**

EX 4



SITE DATA TABLE

SITE ZONING:	PUD
GROSS AREA:	±50.39 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±9.79 AC. (19.5%)
COMMON AREA:	±15.51 AC. (30.7%)
WET POND AREA:	±4.39 AC. (8.7%)
BLOCK AREA:	±3.74 AC. (7.4%)
TOTAL LOT AREA:	±21.20 AC. (42.0%)
TOTAL LOTS:	85
GROSS DENSITY (LOTS/GROSS AREA):	1.7
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (73')
TYP. LOT DEPTH:	130'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	4,766 LF
12' ASPHALT PATH LENGTH:	2,184 LF
10' ASPHALT PATH LENGTH (ALONG FRONTAGES):	3,829 LF
TYP. R/W WIDTH:	50' (LOCAL ROAD) 100' (GEORGIA ROAD) 150' (96TH STREET)

LANDSCAPE LEGEND

-  **STREET TREE**
-  **SHADE TREE**
-  **EVERGREEN TREE**
-  **EVERGREEN SHRUB**
-  **DECIDUOUS SHRUB**



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RYAN HOMES WEST

96TH STREET AND
GEORGIA ROAD

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
5/30/2023
PROJECT PHASE:
CONCEPTUAL

REVISION SCHEDULE

NO.	DESCRIPTION	DATE

Project Number 2022.02089

LANDSCAPE PLAN

EX 5

DRAWING FILE: P:\2022\02089\0 Drawings\Ch\Exhibits\2023-05-15 - Yield Plan\2022-02089 CE EX 2023-05-15.YP.dwg
EDITED BY: JCRBELAR
PLOT DATE: 5/30/2023 2:15 PM
PLOT SCALE: 1:1
EDIT DATE: 5/30/2023



Advisory Plan Commission Staff Report

Meeting Date: June 7, 2023

DEPARTMENT CONTACT:

Megan Vukusich, Department of Planning & Zoning, vukusichm@fishers.in.us

CASE NUMBER:

RZ-23-3

PETITIONER:

NVR, Inc. (d/b/a Ryan Homes)

PROPERTY ADDRESS/LOCATION:

Generally located on the north side of 96th Street, between Georgia and Cyntheanne Rd.

REQUEST:

Consideration of a rezone of 109 acres from R2 Residential to PUD-M. The Flat Fork PUD would include a maximum of 220 single-family homes on the north side of 96th Street, between Georgia and Cyntheanne Road, and a C2 Commercial area at the northeast corner of 96th & Georgia.

EXISTING ZONING:

R2 Residential

PROPOSED ZONING:

PUD-M (Flat Fork)

FISHERS 2040:

Suburban Residential

LOT SIZE: 109 acres

LOCATION MAP



STAFF RECOMMENDATION

- ☒ Favorable Recommendation **with conditions**
☐ Unfavorable Recommendation ☐ No Recommendation

PETITION OVERVIEW:

Faegre Drinker, LLP on behalf of Ryan Homes requests a rezone of 109 acres from R-2 to PUD-R. The new zoning district will be known as the 'Flat Fork PUD'. The project consists of 220 single-family residential lots. Please reference the Petitioner's Packet for the proposed Concept Plan and Illustrative Architectural Exhibit for the proposed homes to be built.

Development Standards

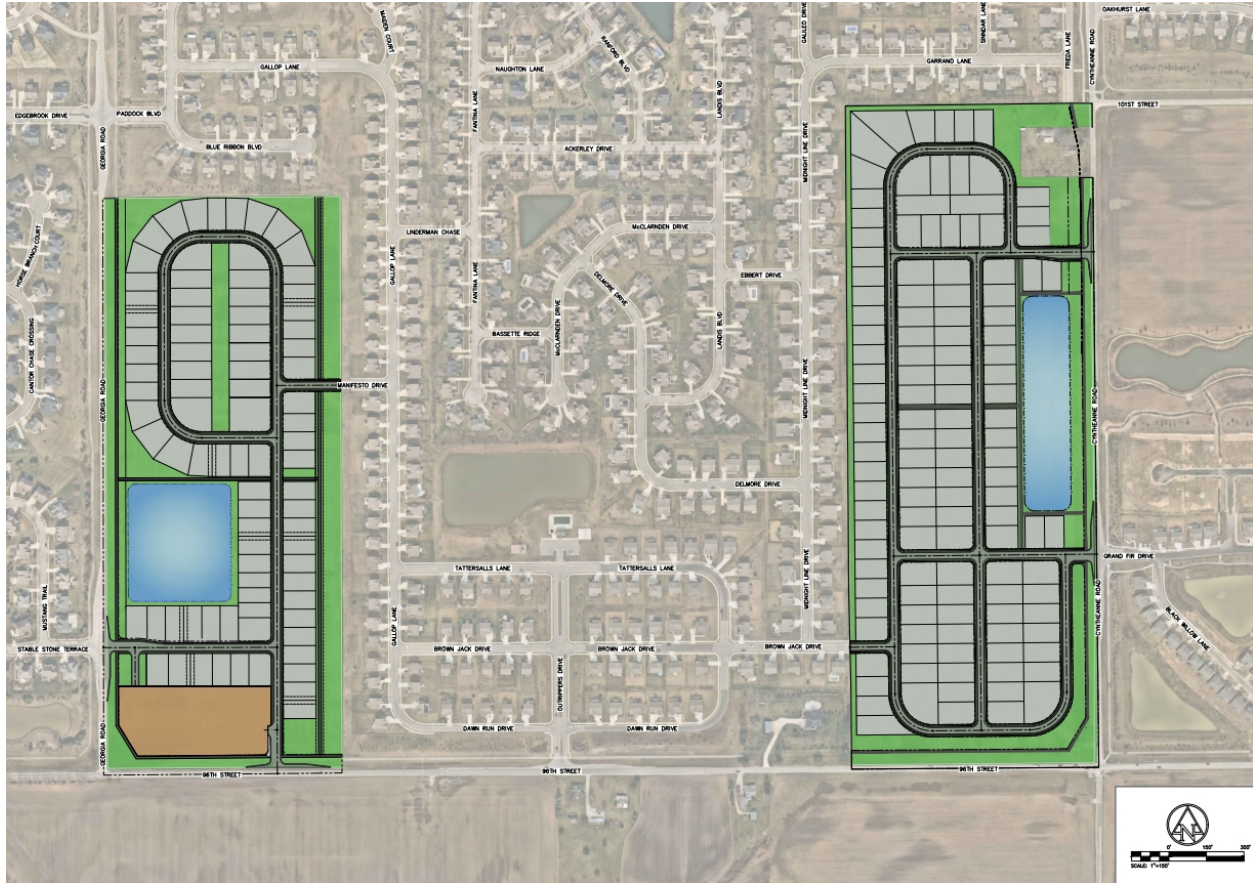
The underlying zoning district for this PUD will incorporate the R5 Residential Zoning District development standards found within the City's Unified Development Ordinance (UDO), except as modified by the proposed ordinance identified below in red. The commercial area is proposed to meeting C2 Commercial Zoning District development standards.

	R5 Residential	Flat Fork PUD
1. Minimum Lot Dimensions		
1a. Lot area	7,500 sf	7,500 sf
1b. Lot width at building line – standard	70'	60'
1c. Lot width at building line – corner	84'	72'
1d. Lot frontage	50'	35'
2. Minimum Building Setbacks		
2a. Front - local street / other street type	25' / 40'	20' / 40'
2b. Side	10'	5'
2c. Rear	25'	20'
3. Maximum Building Height		
3a. Primary structure	35'	35'
4. Building Floor Area		
4a. Living unit area, 1-story (min)	1,000 sf	1,000 sf
4b. Living unit area, 2-story (min)	1,200 sf	1,200 sf
5. Other		
5b. Impervious area of lot (max)	50%	60%

Concept Plan

The Concept Plan shown below will be incorporated into the PUD Ordinance. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth in the PUD.

Concept Plan – Georgia & Cyntheanne Road



Architectural Exhibits

The Illustrative Architectural Exhibit will be incorporated into the PUD Ordinance to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit. The Illustrative Architectural Exhibit will go before the PUD Committee for approval on June 7, 2023.

Open Space and Landscaping

Open Space shall be provided as shown on the Concept Plan and includes an internal trail network through the development, including a portion of the Geist Greenway. All required landscaping will be native species as selected from the City of Fishers Planting Guide list of Approved Species. Emphasis will be given to drought tolerant variances.

SURROUNDING LAND USE & ZONING:

North: PUDR – Steeplechase – Residential

East: PUDR – Steeplechase – Residential & Open Space – Flat Fork Creek Park, PUDR Bridger Pines II – Residential

South: Hancock County jurisdiction. Residential Uses.

West: PUDM – Southeast Fishers – Residential & PUDR – Steeplechase – Residential

SUMMARY OF NEIGHBORHOOD MEETINGS AND PUBLIC COMMENTS:

During 1st Reading at City Council concerns were voiced by Councilperson DeReamer regarding the proposed 5' side setbacks and the overall length of local roads within the development. Planning has met with the Fishers Engineering & Stormwater staff to discuss setbacks and there are no concerns with drainage at this time. We believe all standards for proper lot drainage can be accommodated with the setbacks as proposed.

Councilperson Coble requested enhanced architecture on the rear of homes facing Primary or Secondary arterial. These have been included in the petitioner packet. Staff requests language be added to the PUD Ordinance to require additional modulation on rear of homes facing a public road.

A neighborhood meeting was held by the petitioner on Monday, May 8, 2023. Concerns regarding the proposed commercial area were voiced. The surrounding neighbors had questions about what this commercial area would be. At this time the petitioner does not have any immediate plans for commercial development and was unable to answer these questions.

Written public comments received by staff are included in the attachments.

STAFF RECOMMENDATION:

The Fishers 2040 Plan identifies this area as Suburban Residential. The density for the proposed PUD is 2 units/acre which aligns with the Suburban Residential classification. The Fishers 2040 identifies the commercial area as Neighborhood Service Area. Although this classification does align with commercial, the area is surrounded by residential uses and staff would like to see a more detailed concept plan and preliminary architectural drawings for any commercial being introduced into this area in order to determine our support.

Staff is supportive of the Flat Fork PUD ordinance rezoning from R-2 to PUD-RESIDENTIAL as the project will be more restrictive in design and development, far exceeding UDO minimum

standards. However, we are not supportive of the incorporation of commercial within the PUD and we recommend the property owner seek a separate commercial PUD rather than classifying as C2 under the current Ryan Homes rezone.

When making their decision, Plan Commission shall be reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff recommends Plan Commission send a favorable recommendation to City Council **with the condition that the commercial area is removed from the PUD.**

This item is anticipated to go to the City Council on June 19, 2023 for final reading.

STAFF RECOMMENDATION

☒ Favorable Recommendation ☐ Unfavorable Recommendation ☐ No Recommendation



Advisory Plan Commission Staff Report

Meeting Date: June 7, 2023

DEPARTMENT CONTACT:

Megan Vukusich, Department of Planning & Zoning, vukusichm@fishers.in.us

CASE NUMBER:

RZ-23-2

PETITIONER:

NVR, Inc. (d/b/a Ryan Homes)

PROPERTY ADDRESS/LOCATION:

Generally located on the north side of 96th Street, between Georgia and Cyntheanne Rd.

REQUEST:

Consideration of a rezone of 109 acres from R2 Residential to PUD-M. The Flat Fork PUD would include a maximum of 220 single-family homes on the north side of 96th Street, between Georgia and Cyntheanne Road, and a C2 Commercial area at the northeast corner of 96th & Georgia.

EXISTING ZONING:

R2 Residential

PROPOSED ZONING:

PUD-M (Flat Fork)

FISHERS 2040:

Suburban Residential

LOT SIZE: 109 acres

LOCATION MAP



STAFF RECOMMENDATION

- ☒ Favorable Recommendation **with conditions**
☐ Unfavorable Recommendation ☐ No Recommendation

PETITION OVERVIEW:

Faegre Drinker, LLP on behalf of Grand Communities LLC requests a rezone of 109 acres from R-2 to PUD-R. The new zoning district will be known as the 'Flat Fork PUD'. The project consists of 220 single-family residential lots. Please reference the Petitioner's Packet for the proposed Concept Plan and Illustrative Architectural Exhibit for the proposed homes to be built.

Development Standards

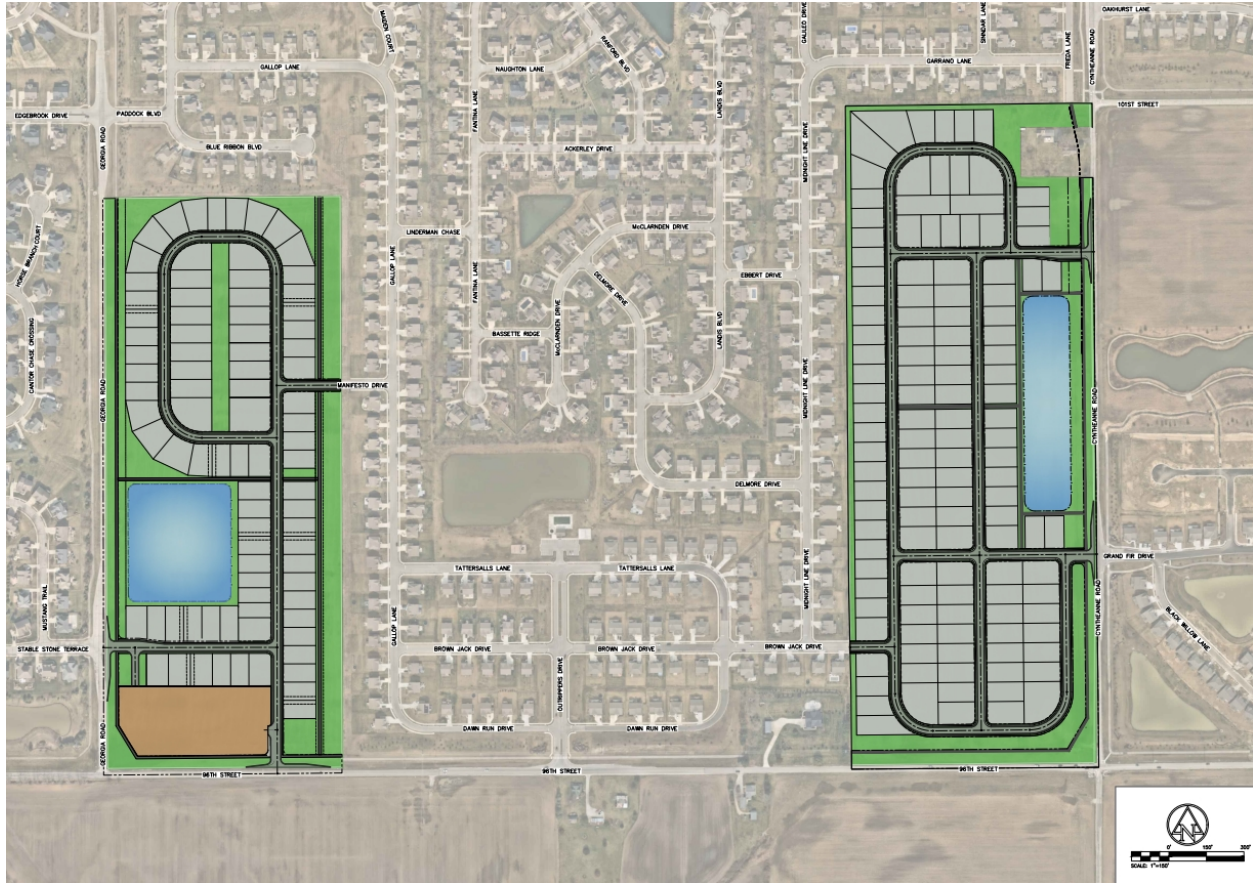
The underlying zoning district for this PUD will incorporate the R5 Residential Zoning District development standards found within the City's Unified Development Ordinance (UDO), except as modified by the proposed ordinance identified below in red. The commercial area is proposed to meeting C2 Commercial Zoning District development standards.

	R5 Residential	Flat Fork PUD
1. Minimum Lot Dimensions		
1a. Lot area	7,500 sf	7,500 sf
1b. Lot width at building line – standard	70'	60'
1c. Lot width at building line – corner	84'	72'
1d. Lot frontage	50'	35'
2. Minimum Building Setbacks		
2a. Front - local street / other street type	25' / 40'	20' / 40'
2b. Side	10'	5'
2c. Rear	25'	20'
3. Maximum Building Height		
3a. Primary structure	35'	35'
4. Building Floor Area		
4a. Living unit area, 1-story (min)	1,000 sf	1,000 sf
4b. Living unit area, 2-story (min)	1,200 sf	1,200 sf
5. Other		
5b. Impervious area of lot (max)	50%	60%

Concept Plan

The Concept Plan shown below will be incorporated into the PUD Ordinance. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth in the PUD.

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5. Responsible development and growth.

Staff recommends Plan Commission send a favorable recommendation to City Council **with the condition that the commercial area is removed from the PUD.**

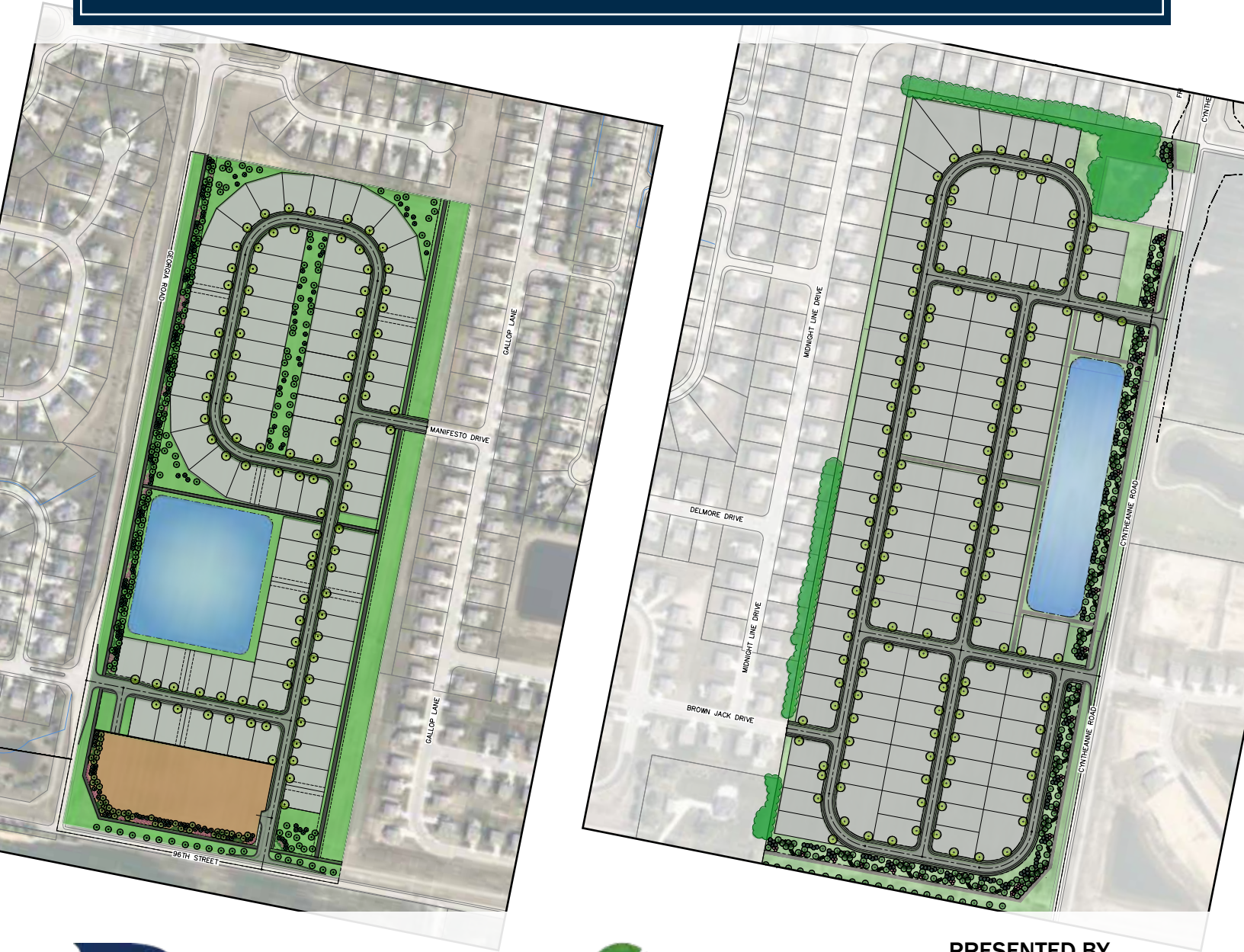
This item is anticipated to go to the City Council on June 19, 2023 for final reading.

STAFF RECOMMENDATION

☒ Favorable Recommendation ☐ Unfavorable Recommendation ☐ No Recommendation

Flat Fork

Planned Unit Development



Ryan
Homes



PRESENTED BY
J. MURRAY CLARK, ESQ.

faegre
drinker

Plan Commission | June 7, 2023

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FLAT FORK PUD

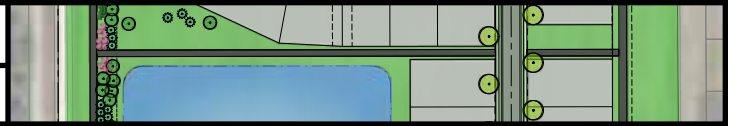


TABLE OF CONTENTS

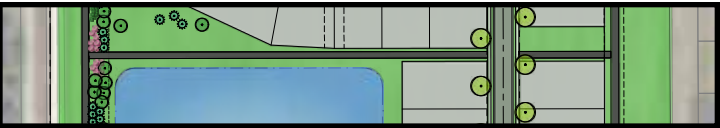
<u>Tab 1</u>	Executive Summary
<u>Tab 2</u>	Aerial Location Map
<u>Tab 3</u>	Overall Concept Plan
<u>Tab 4</u>	Georgia Road Neighborhood
<u>Tab 5</u>	Cyntheanne Road Neighborhood
<u>Tab 6</u>	Rear Covered Porch Photographs
<u>Tab 7</u>	Garage Door Exhibit
<u>Tab 8</u>	Proposed PUD Ordinance

NVR, Inc. (DBA "Ryan Homes"):
Mike Lewis, Land Manager,
Indianapolis Division
8425 Woodfield Crossing Blvd.,
Indianapolis, IN 46240

American Structurepoint, Inc.:
Josh Cribelar, PE (IN, OH, PA),
Civil Team Leader
9025 River Road, Suite 200
Indianapolis, IN 46240

Faegre Drinker Biddle & Reath LLP:
J. Murray Clark, Esq.
Mark R. Leach, Land Use Planner
600 East 96th St., Suite 600
Indianapolis, IN 46240
Telephone: (317) 569-9600

TAB 1

EXECUTIVE SUMMARY	
FLAT FORK PUD	

NVR, Inc. (“Ryan Homes”), is pleased to present plans for the Flat Fork PUD, a new primarily residential community split into two distinct neighborhoods. The Georgia Road site is located on the northeast corner of 96th Street and Georgia Road and is comprised of 50 acres – 46 acres of which is single-family detached, for-sale residential and approximately 4 acres is neighborhood commercial, which will be left to the current landowner to be developed by a 3rd party at a later date. The Cyntheanne Road site is located at the northwest corner of 96th Street and Cyntheanne Road and is comprised of 59 acres of entirely single-family detached, for-sale residential. Please see the following tabs for additional information.

Collectively, the two neighborhoods are adjacent to two primary arterial roadways, the planned Geist Greenway trail, and Flat Fork Creek Park. Highlights of the new development include:

- A diverse mix of two home collections
 - Single-story, detached, 3-car garage homes on slabs and basement lots
 - Two-story, detached, 3-car garage homes on slabs and basement lots
- Geist Greenway trail improvements
- Pedestrian connectivity to new and existing parks and trails

Ryan Homes will feature up to seven unique floorplans (with a variety of elevations) with home sizes ranging between 1,600 and 4,000 square feet, with an expected average of 3,000 square feet. The price range is expected to be between \$400,000 and \$600,000, with an expected average of \$525,000. Similar homes are currently featured in the Turnberry neighborhood at the northwest corner of 126th Street and Atlantic Road.

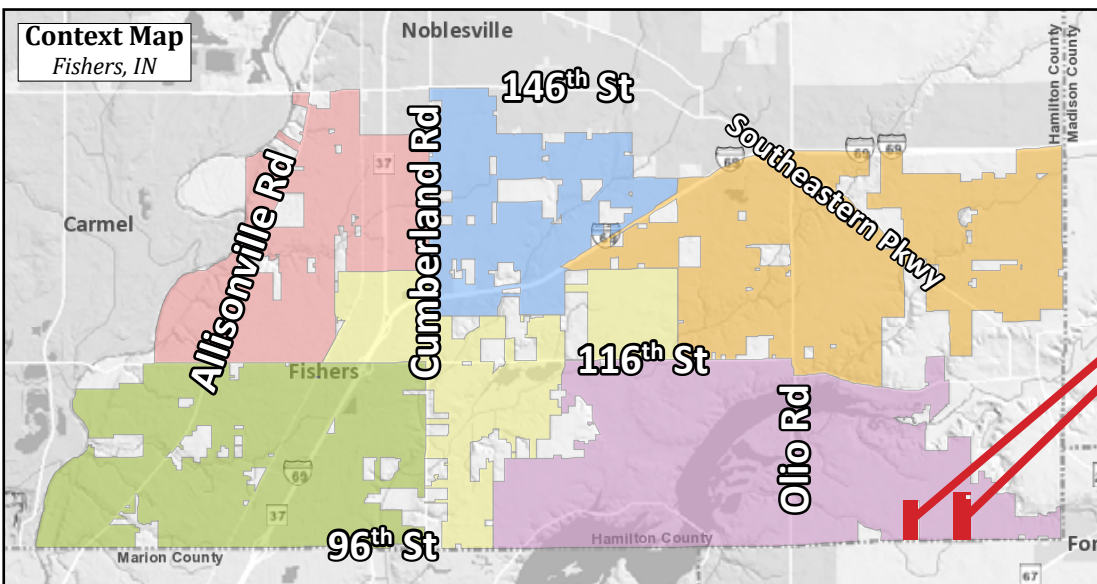
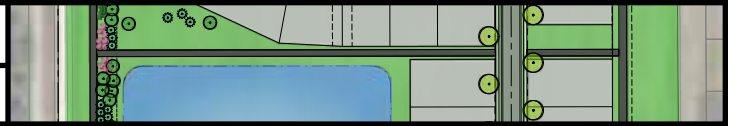
If approved, then site development work is anticipated to begin next year.

Thank you for your consideration.

TAB 2

AERIAL LOCATION MAP

FLAT FORK PUD



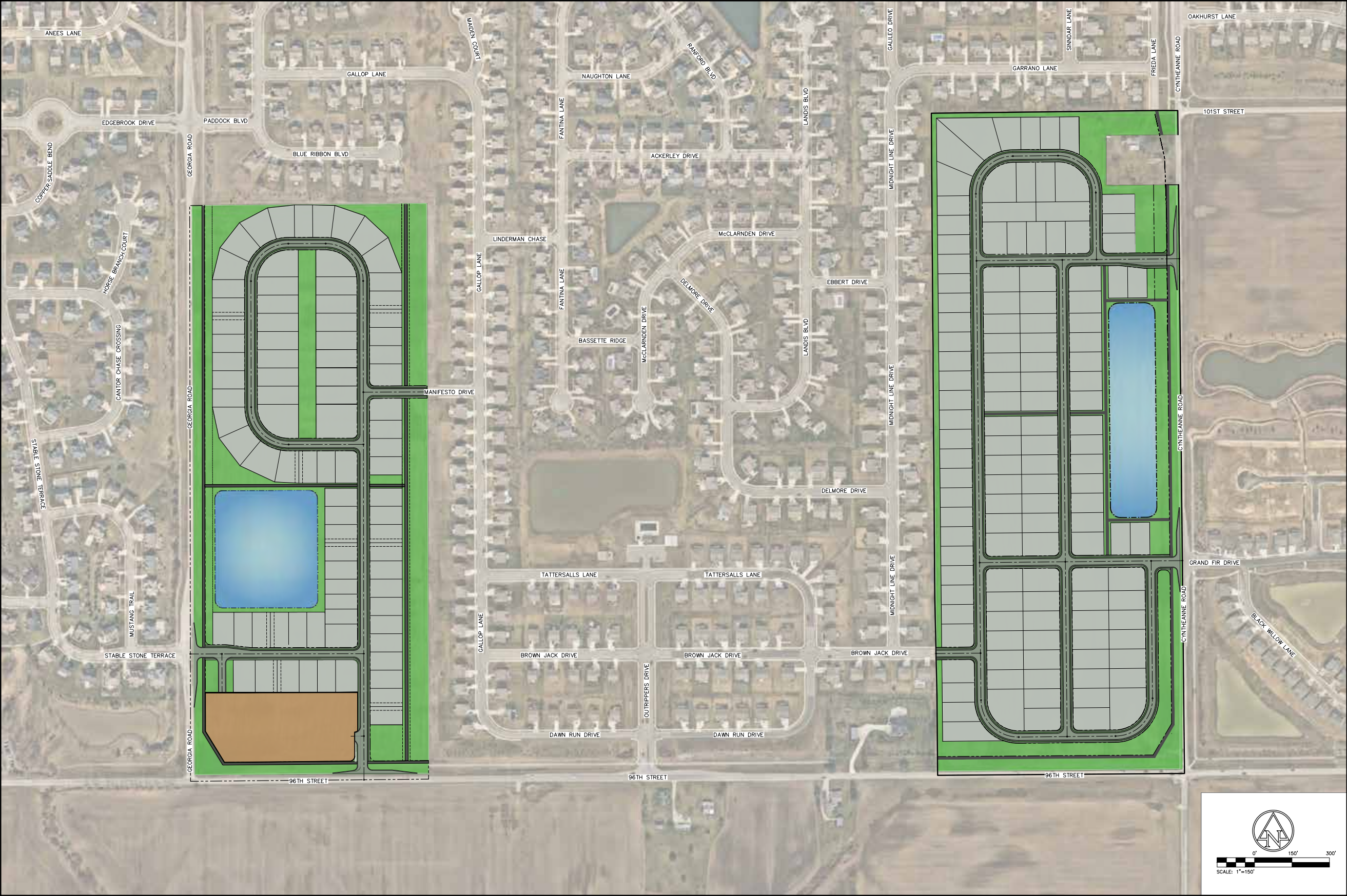
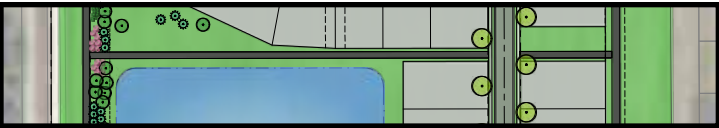
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TAB 3

OVERALL CONCEPT PLAN

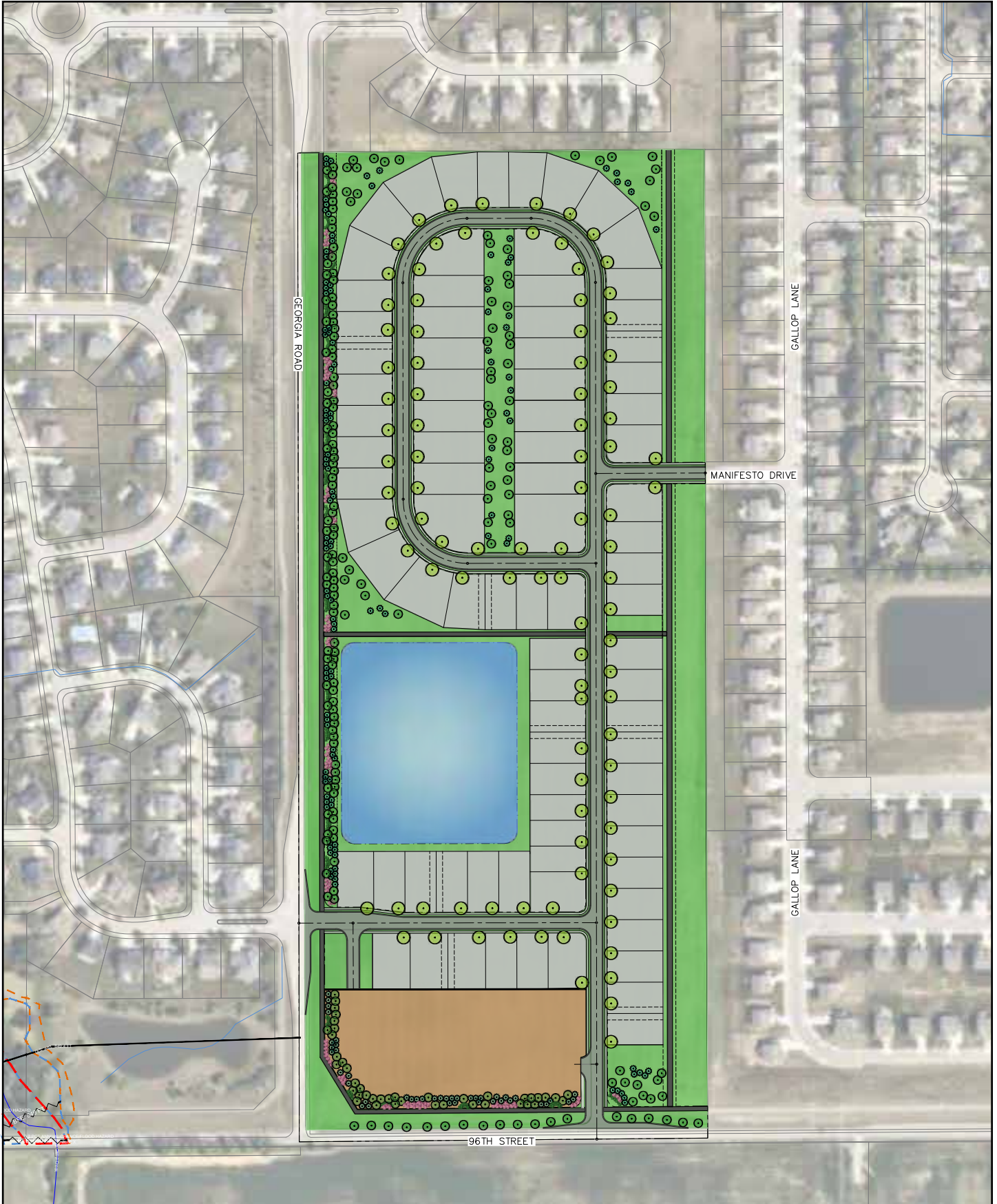
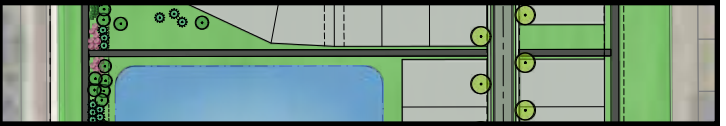
FLAT FORK PUD



TAB 4

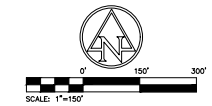
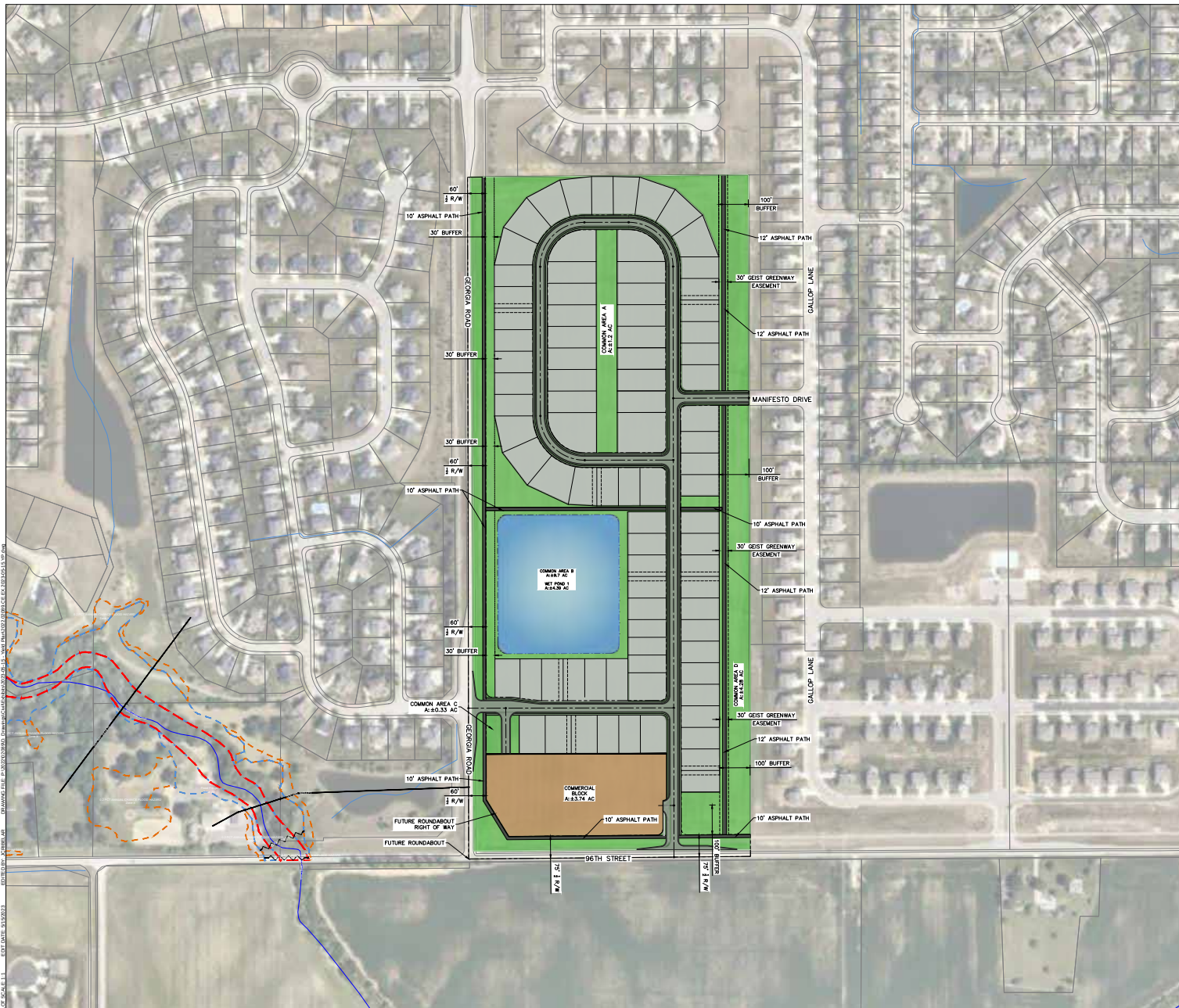
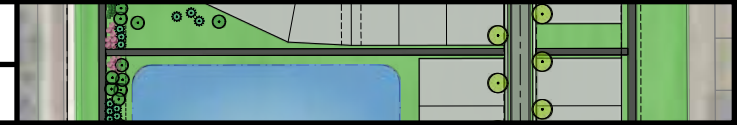
GEORGIA ROAD NEIGHBORHOOD, SITE PLAN

FLAT FORK PUD



GEORGIA ROAD NEIGHBORHOOD, YIELD PLAN

FLAT FORK PUD



SITE ZONING:	R10
GROSS AREA:	8,500 SQ. FT.
PUBLIC RIGHT-OF-WAY (N/R):	8.97% AREA (19.0%)
COMMON AREA:	815.51% AREA (30.7%)
NET FOND AREA:	84.39% AREA (8.7%)
BLOCK AREA:	815.74% AREA (7.4%)
TOTAL LOT AREA:	8,210.20% AREA (42.0%)
TOTAL LOTS:	85
LOT AREA (LOTS/GROSS AREA):	
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (12")
TYP. LOT DEPTH:	150'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	20'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	4,766 LF
12' ASPHALT PATH LENGTH:	2,184 LF
10' ASPHALT PATH LENGTH (ALONG FRONTAGES):	3,829 LF
TYP. N/R WIDTH:	50' (LOCAL ROAD) 100' (GEORGIA ROAD) 150' (NORTH STREET)



RYAN HOMES WEST

96TH STREET AND
GEORGIA ROAD

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
5/15/2023
PROJECT PHASE:
CONCEPTUAL

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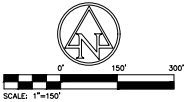
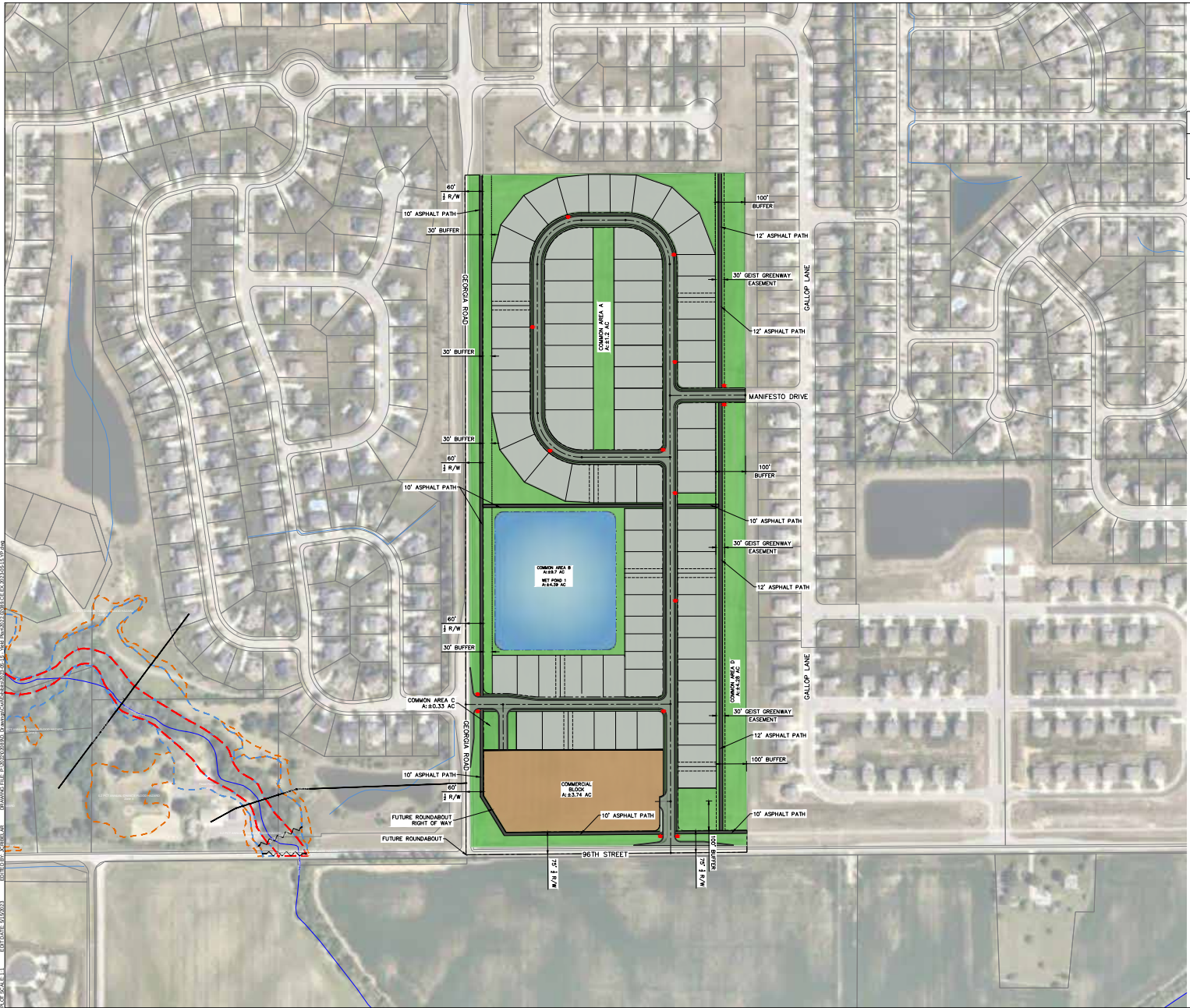
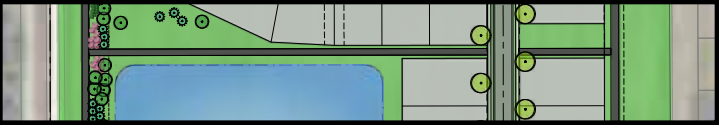
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YIELD PLAN

EX 1

GEORGIA ROAD NEIGHBORHOOD, LIGHTING PLAN

FLAT FORK PUD



SITE LEGEND

● LIGHT POLE



STRUCTUREPOINT
9502 River Road, Suite 300 | Indianapolis, Indiana 46240
TEL: 317.547.2000 | FAX: 317.543.0270
www.structurepoint.com

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GEORGIA ROAD
Fishers, IN

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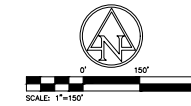
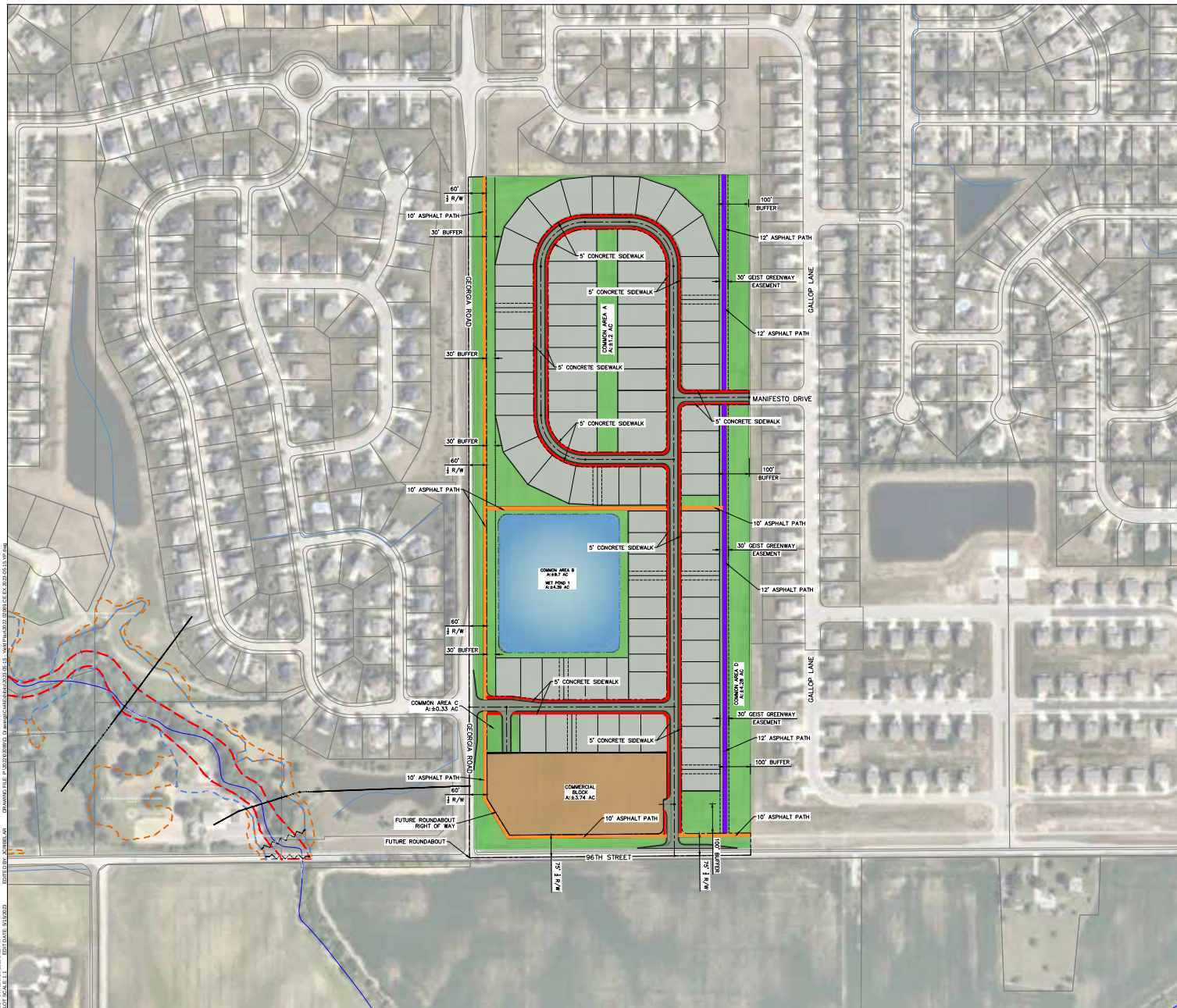
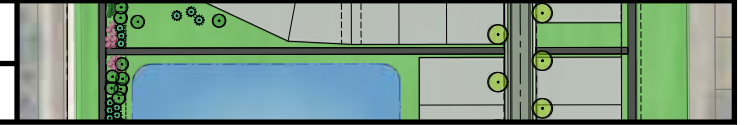
REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2022.02089

LIGHTING PLAN

EX 2

FLAT FORK PUD



SITE DATA TABLE	
5' CONCRETE SIDEWALK:	8,650 LF
10' ASPHALT TRAIL:	3,829 LF
12' ASPHALT TRAIL:	2,184 LF

SITE LEGEND

- 5' CONCRETE SIDEWALK
 10' ASPHALT PATH
 12' ASPHALT PATH



9025 River Road, Suite 200 | Indianapolis, Indiana 46240
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www.structurepoint.com

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Fishers, IN

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ISSUANCE INDEX

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REVISION SCHEDULE

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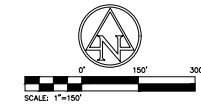
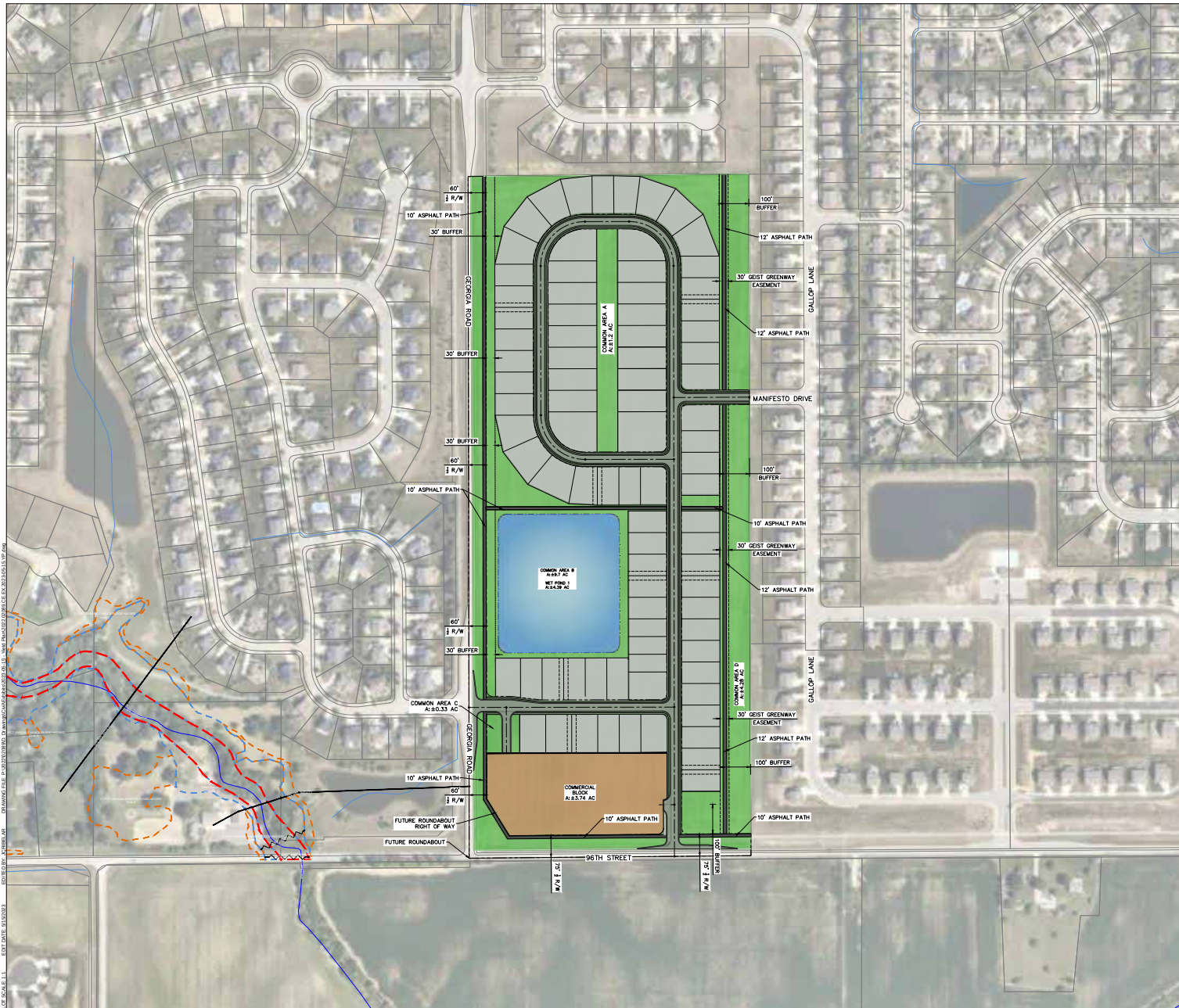
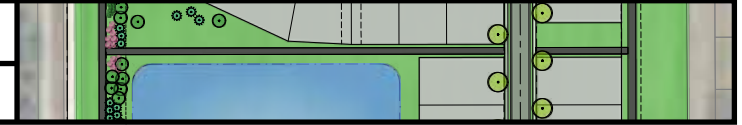
Project Number	2022.02089
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**PEDESTRIAN
PLAN**

EX 3

GEORGIA ROAD NEIGHBORHOOD, OPEN SPACE PLAN

FLAT FORK PUD



SITE DATA TABLE

SITE ZONING:	PUD
GROSS AREA:	±50.39 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±9.79 AC. (19.5%)
COMMON AREA:	±15.51 AC. (30.7%)
WET POND AREA:	±4.39 AC. (8.7%)
BLOCK AREA:	±3.74 AC. (7.4%)
TOTAL LOT AREA:	±21.20 AC. (42.0%)



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RYAN HOMES WEST

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CERTIFIED BY

ISSUANCE INDEX

DATE:

5/15/2023

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CONSTRUCTION:

CONCEPTUAL

REVISION SCHEDULE

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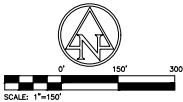
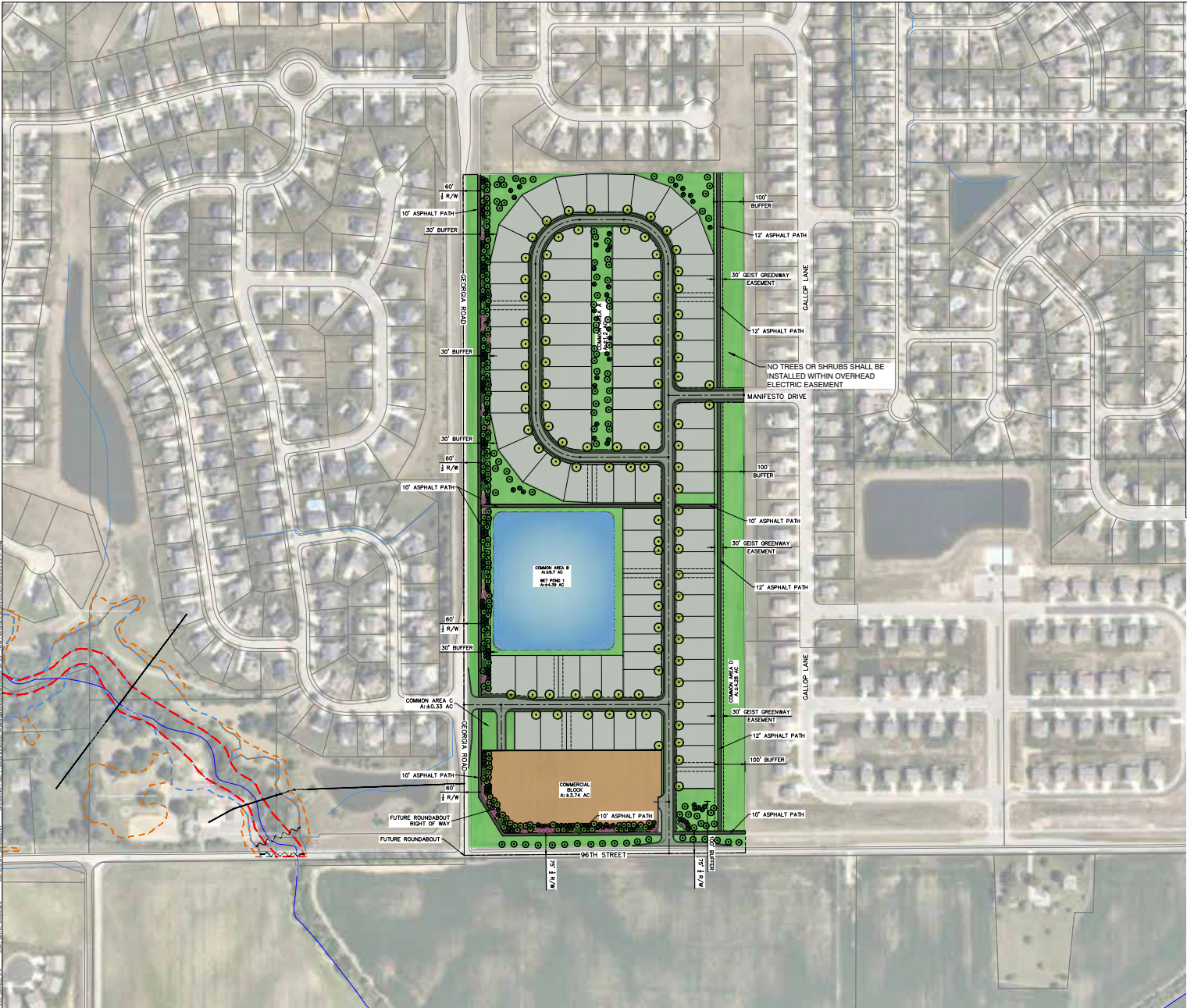
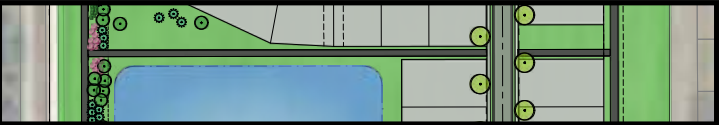
Project Number	2022.02089
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OPEN SPACE PLAN

EX 4

GEORGIA ROAD NEIGHBORHOOD, LANDSCAPE PLAN

FLAT FORK PUD



SITE DATA TABLE

SITE ZONING:	PUD
GROSS AREA:	550.39 AC.
PUBLIC RIGHT-OF-WAY (R/W):	89.79 AC. (16.0%)
COMMON AREA:	815.81 AC. (30.7%)
NET FORD AREA:	14.39 AC. (0.7%)
BLOCK AREA:	83.74 AC. (7.4%)
TOTAL LOT AREA:	821.20 AC. (42.0%)
TOTAL LOTS:	88
GROSS DENSITY (LOTS/GROSS AREA):	1.7
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (75')
TYP. LOT DEPTH:	130'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	4,766 LF
12' ASPHALT PATH LENGTH:	2,184 LF
10' ASPHALT PATH LENGTH (ALONG FRONTAGES):	3,829 LF
TYP. R/W WIDTH:	50' (LOCAL ROAD) 100' (GEORGIA ROAD) 150' (96TH STREET)

LANDSCAPE LEGEND

- STREET TREE
- SHADE TREE
- EVERGREEN TREE
- EVERGREEN SHRUB
- DECIDUOUS SHRUB



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RYAN HOMES WEST
96TH STREET AND
GEORGIA ROAD
Fishers, IN

CERTIFIED BY		
ISSUANCE INDEX		
DATE:	5/30/2023	
PROJECT PHASE:	CONCEPTUAL	

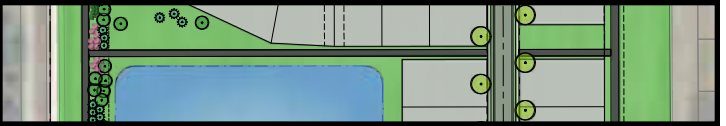
REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2022.02089

LANDSCAPE PLAN

EX 5

DATE: 5/30/2023
PROJECT: FLAT FORK PUD
SHEET: EX 5
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
APPROVED BY: J. B. BROWN
PROJECT PHASE: CONCEPTUAL
SHEET NO.: 0202089



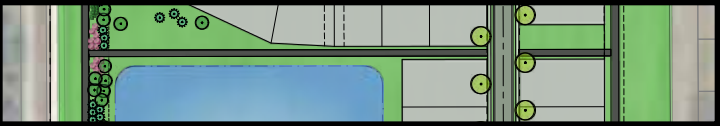
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ASHBROOKE



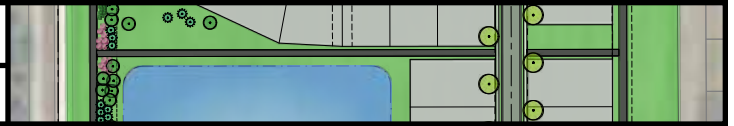
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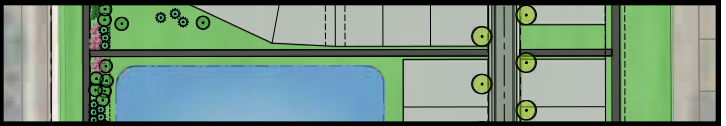
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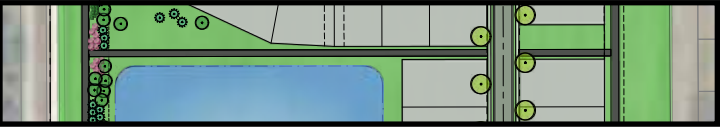


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TAB 5

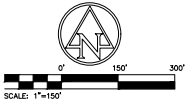
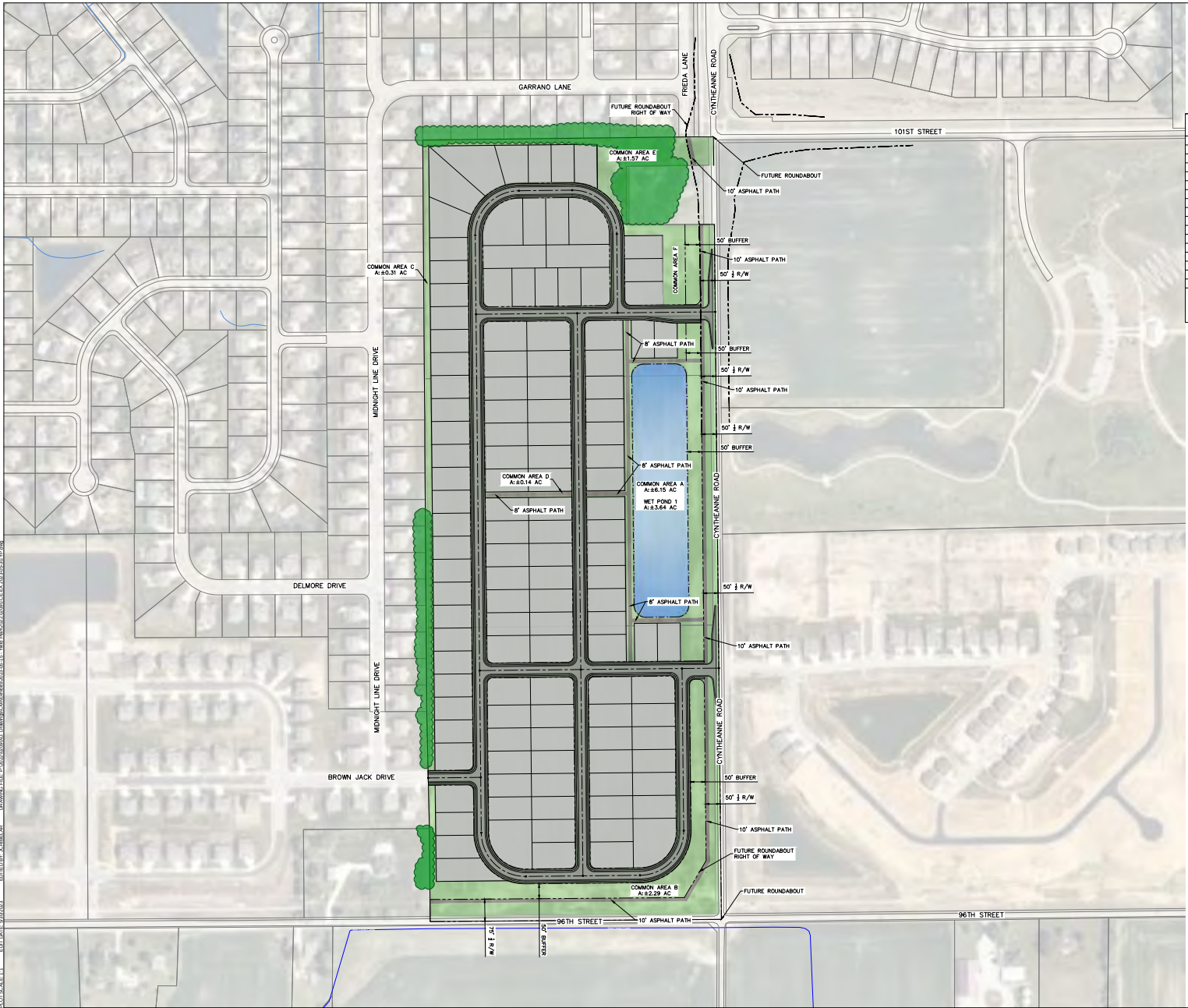
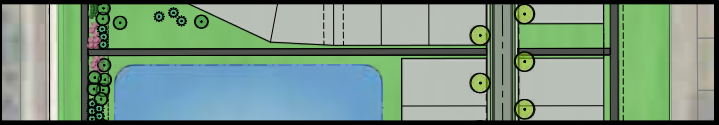
CYNTHEANNE ROAD NEIGHBORHOOD, SITE PLAN

FLAT FORK PUD



CYNTHEANNE ROAD NEIGHBORHOOD, YIELD PLAN

FLAT FORK PUD



SITE DATA TABLE

SITE ZONING:	R-2
GROSS AREA:	859.00 AC.
PUBLIC RIGHT-OF-WAY (R/W):	413.67 AC. (33.2%)
COMMON AREA:	810.46 AC. (77.7%)
WET POND AREA:	8.64 AC. (6.2%)
TOTAL WET POND AREA:	8.64 AC. (0.08%)
TOTAL LOT AREA:	834.87 AC. (99.1%)
TOTAL LOTS:	124
GROSS DENSITY (LOTS/GROSS AREA):	2.1
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (78')
TYP. LOT DEPTH:	130'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	8,071 LF
ASPHALT TRAIL:	5,295 LF
TYP. R/W WIDTH:	50' (LOCAL ROAD) 100' (CYNTHEANNE ROAD) 150' (MIDNIGHT LINE DRIVE) 100' (101ST STREET)



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www.structurepoint.com

RYAN HOMES EAST

96TH STREET AND
CYNTHEANNE ROAD
Fishers, IN

CERTIFIED BY

ISSUANCE INDEX		
DATE:		
5/30/2023		
PROJECT PHASE:		
CONCEPTUAL		

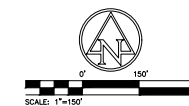
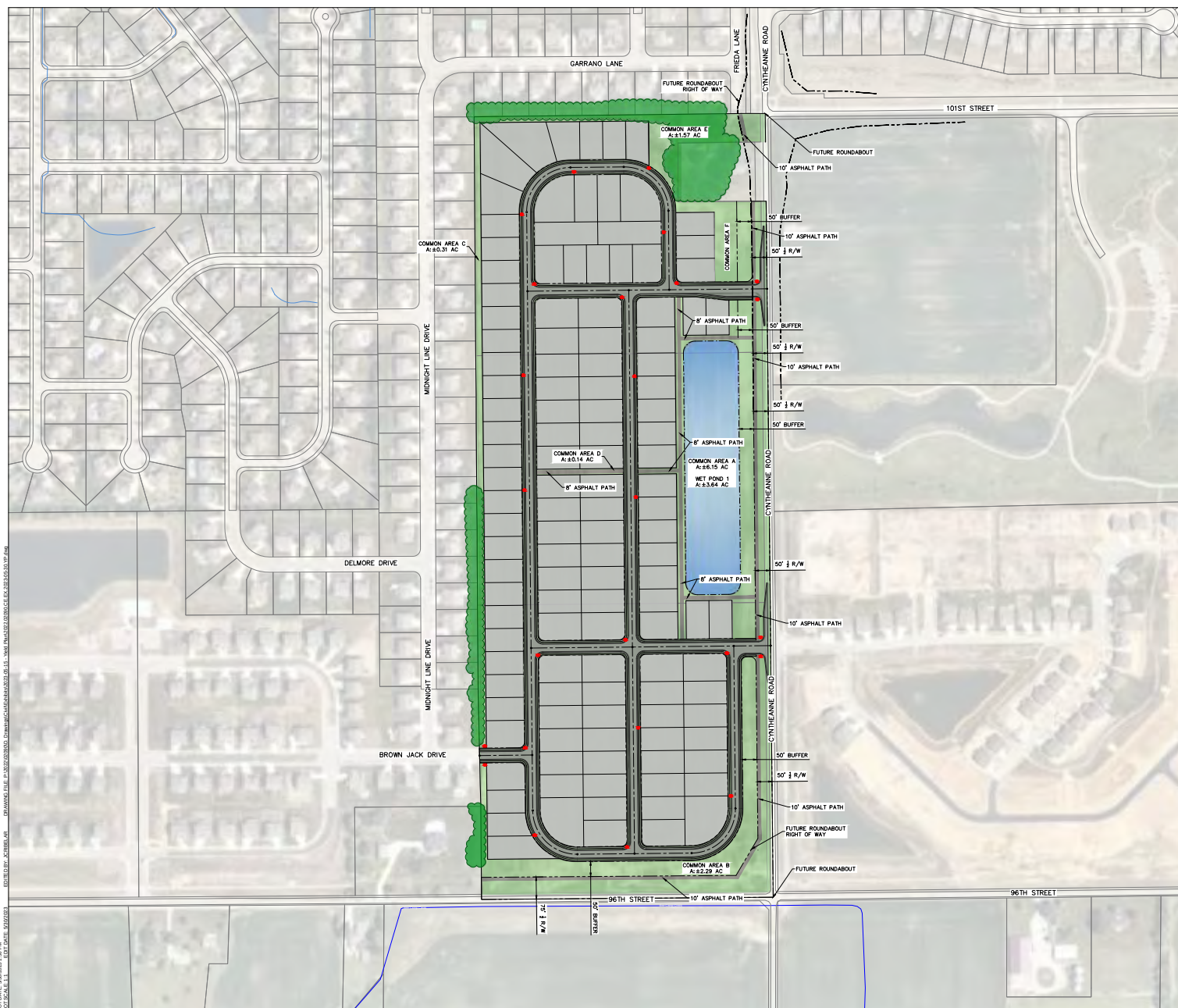
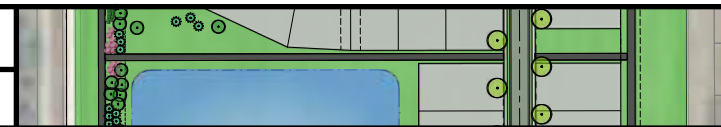
REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2022.02090

YIELD PLAN

EX 1

FLAT FORK PUD



SITE LEGEND



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Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:	5/30/2023
PROJECT PHASE:	CONCEPTUAL

REVISION SCHEDULE

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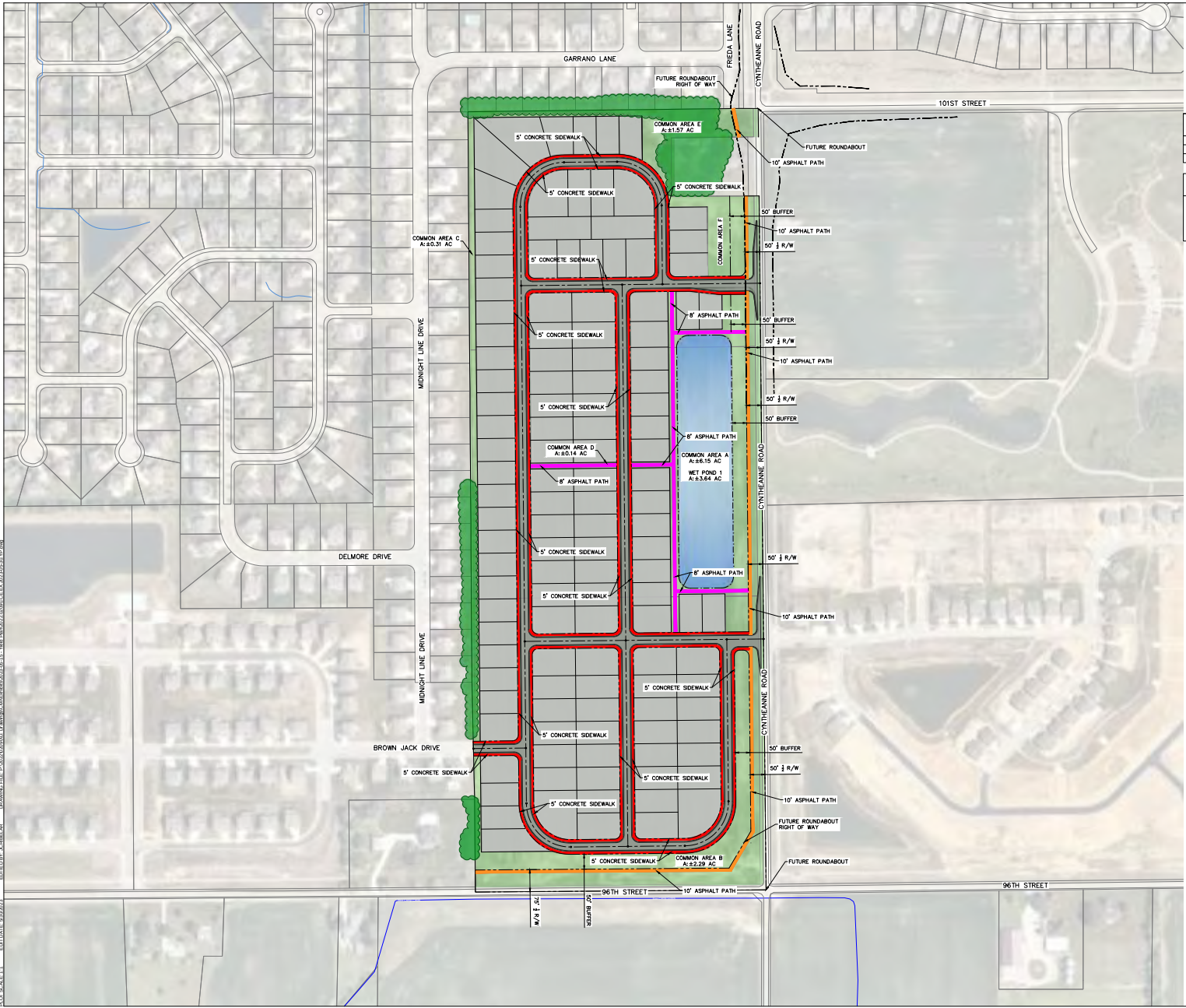
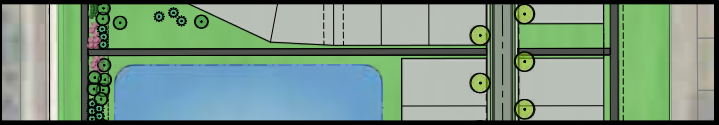
Project Number	2022.0209
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LIGHTING PLAN

EX 2

CYNTHEANNE ROAD NEIGHBORHOOD, PEDESTRIAN PLAN

FLAT FORK PUD



SITE DATA TABLE

5' CONCRETE SIDEWALK:	15,021 LF
8' ASPHALT PATH:	2,098 LF
10' ASPHALT PATH:	3,197 LF

SITE LEGEND

- 5' CONCRETE SIDEWALK
- 8' ASPHALT PATH
- 10' ASPHALT PATH



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Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:	5/30/2023
PROJECT PHASE:	CONCEPTUAL

REVISION SCHEDULE

NO.	DESCRIPTION	DATE

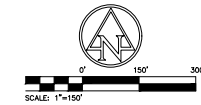
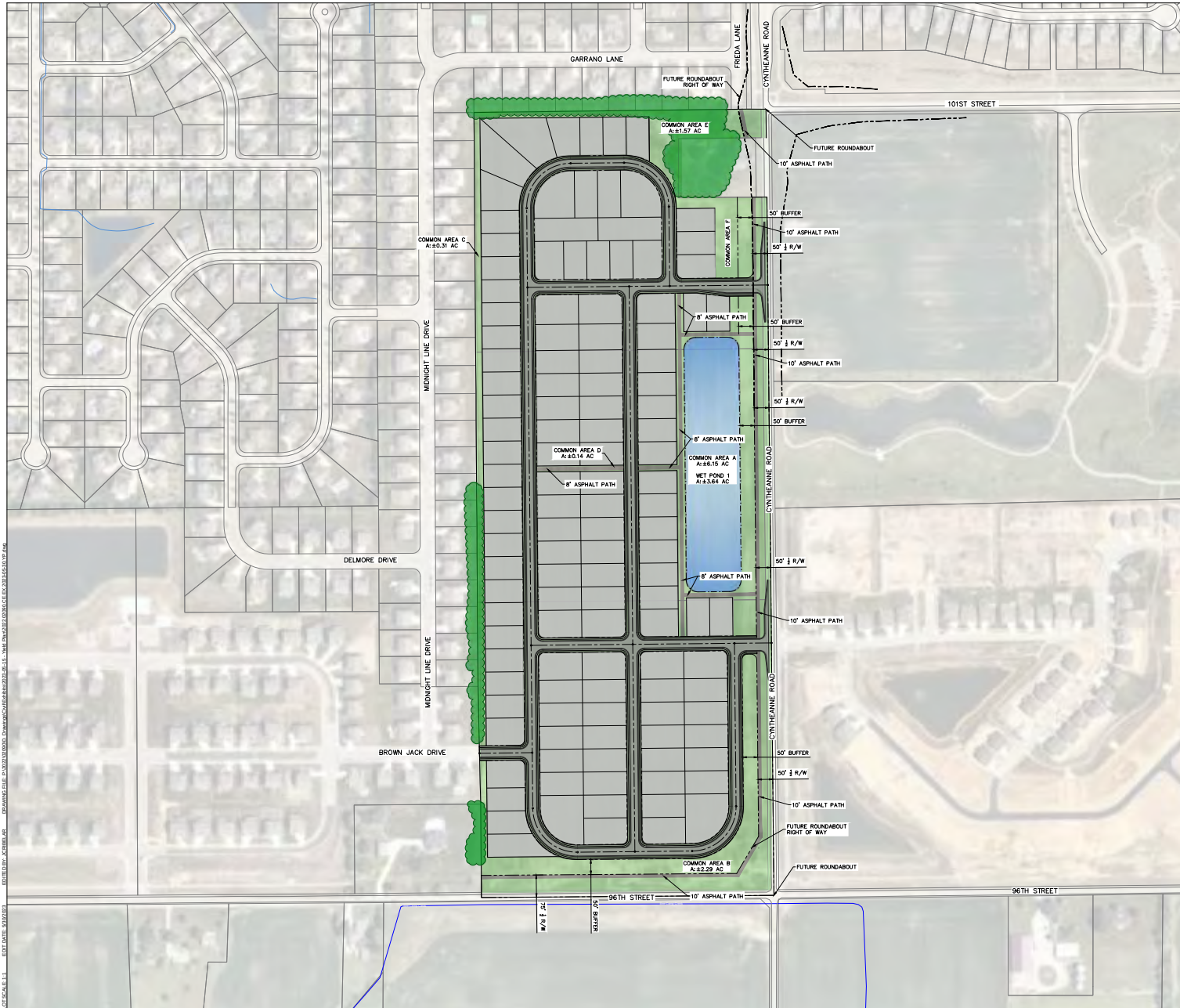
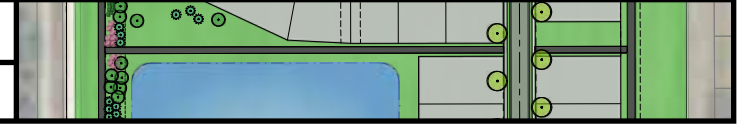
Project Number 2022.02090

PEDESTRIAN PLAN

EX 3

CYNTHEANNE ROAD NEIGHBORHOOD, OPEN SPACE PLAN

FLAT FORK PUD



SITE DATA TABLE

SITE ZONING:	R-2
GROSS AREA:	±59.00 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±13.67 AC. (23.2%)
COMMON AREA:	±10.46 AC. (17.7%)
WET POND AREA:	±3.64 AC. (6.2%)
TOTAL BLOCK AREA:	±0.00 AC. (0.0%)
TOTAL LOT AREA:	±34.87 AC. (59.1%)



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RYAN HOMES EAST

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ISSUANCE INDEX

DATE:
5/30/2023
PROJECT PHASE:
CONCEPTUAL

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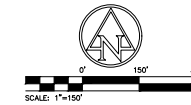
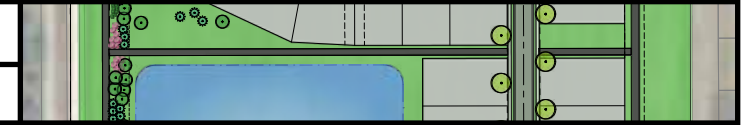
Project Number	2022.02090
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OPEN SPACE PLAN

EX 4

CYNTHEANNE ROAD NEIGHBORHOOD, LANDSCAPE PLAN

FLAT FORK PUD



SITE DATA TABLE

SITE ZONING:	R-2
GROSS AREA:	859.00 AC.
PUBLIC RIGHT-OF-WAY (R/W):	413.67 AC. (33.2%)
COMMON AREA:	810.46 AC. (17.7%)
WET POND AREA:	8.56 AC. (6.2%)
TOTAL WET POND AREA:	8.56 AC. (0.08%)
TOTAL LOT AREA:	834.87 AC. (99.1%)
TOTAL LOTS:	124
GROSS DENSITY (LOTS/GROSS AREA):	2.1
MIN. LOT AREA:	7,800 SF
MIN. (TYP.) LOT WIDTH:	60' (78')
TYP. LOT DEPTH:	130'
MIN. FRONT YARD SETBACK:	20'
MIN. SIDE YARD SETBACK:	5'
MIN. REAR YARD SETBACK:	20'
LOCAL ROAD LENGTH:	8,071 LF
ASPHALT TOTAL:	5,295 LF
TYP. R/W WIDTH:	50' (LOCAL ROAD) 100' (CYNTHEANNE ROAD) 100' (96TH STREET) 100' (101ST STREET)

LANDSCAPE LEGEND

- EVERGREEN TREE
- CANOPY TREE
- STREET TREE
- DECIDUOUS SHRUB
- EVERGREEN SHRUB



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96TH STREET AND CYNTHEANNE ROAD
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ISSUANCE INDEX

DATE:
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PROJECT PHASE:
CONCEPTUAL

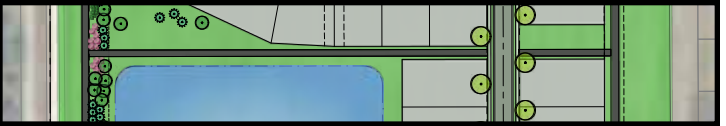
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

Project Number 2022.02090

LANDSCAPE PLAN

EX 5



ELEVATION K



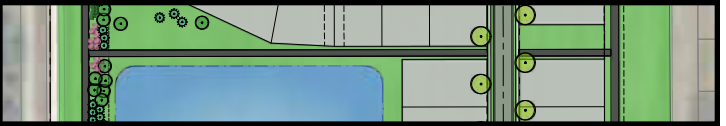
ELEVATION L



CORSICA

NORMANDY, ILLUSTRATIVE ARCHITECTURE

FLAT FORK PUD - CYNTHEANNE ROAD



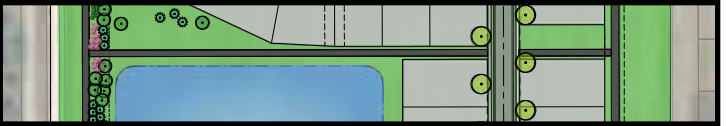
ELEVATION K



ELEVATION L



NORMANDY



ELEVATION K



ELEVATION L

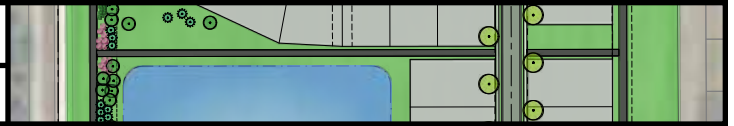


YORK

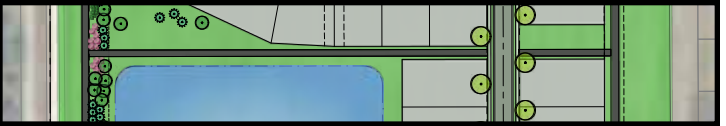
TAB 6

REAR COVERED PORCH PHOTOGRAPHS

FLAT FORK PUD



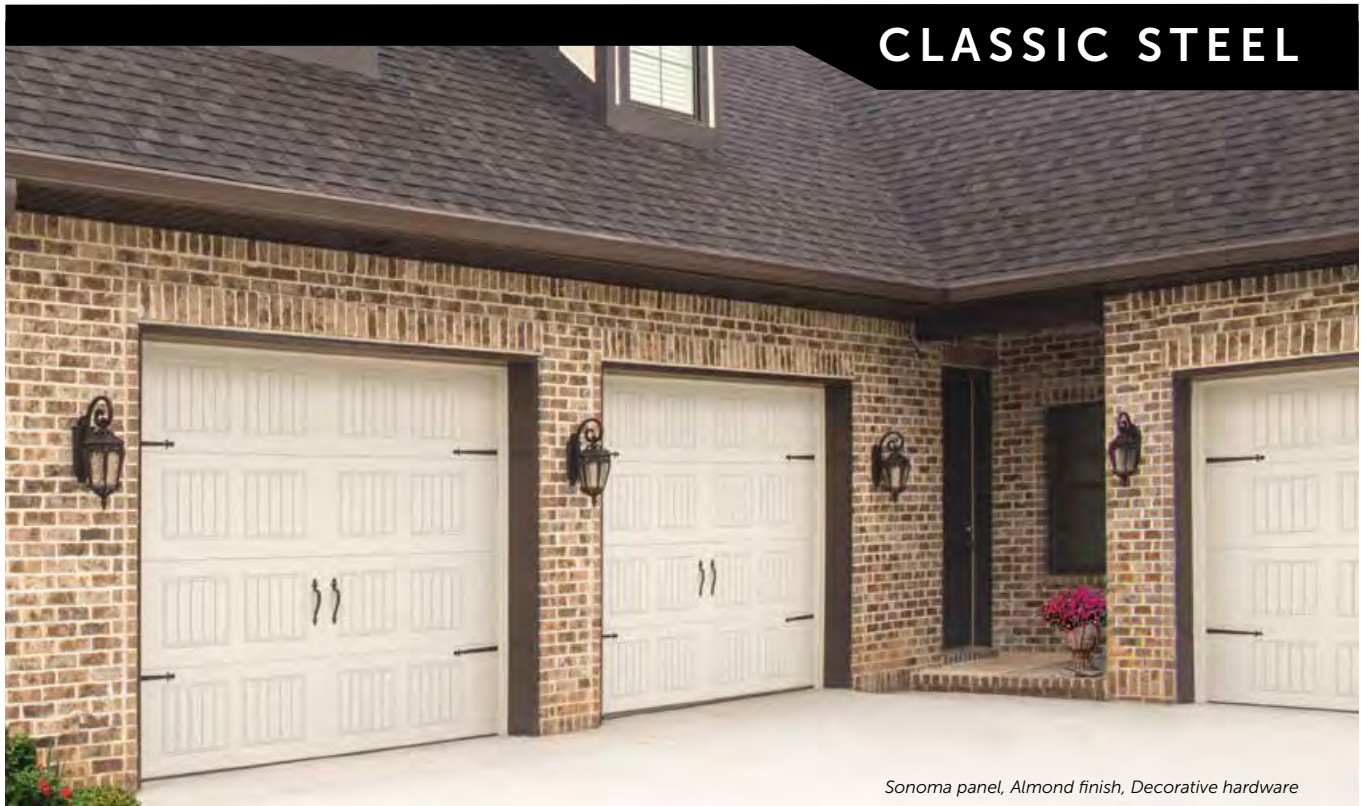
TAB 7



MODEL 5120

BUILDER

CLASSIC STEEL



Sonoma panel, Almond finish, Decorative hardware

DOOR FEATURES

Pinch-Resistant Panels

designed to push fingers out of harm's way.

3-layer construction

Model 5120 utilizes a ToughGard® backer.

Foamed-In-Place Polyurethane Insulation

provides thermal efficiency with an R-value* of 9.

Integral Struts

add rigidity and strength for long life and smooth operation.



High Cycle Spring Option

Choose a 25,000 cycle spring for more than twice the life of a standard torsion spring.

TorqueMaster® Plus Counter Balance System

Contains springs safely inside a steel tube to prevent accidental release of tension that could cause injury and features anti-drop safety technology.

Wind Load Options



Available with structural reinforcements for use in coastal or high wind region.

Limited Lifetime Warranty

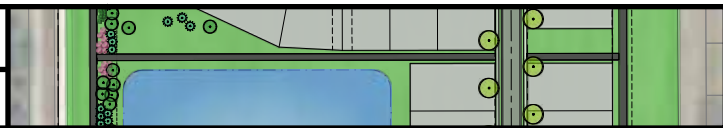


*Wayne Dalton uses a calculated door section R-value for our insulated doors.

The Builder Select Series

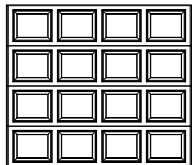
GARAGE DOOR EXHIBIT

FLAT FORK PUD

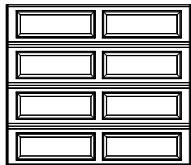


1 Choose Your Style

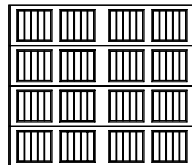
Doors shown are 8'x7'. Other sizes may have different panel configurations.



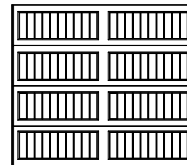
Colonial



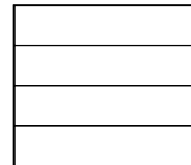
Ranch



Sonoma



Sonoma Ranch



Contemporary

2 Choose Your Color

Paint finishes



White



Almond



Desert Tan



Taupe



Gray



Green



Brown

3 Choose Your Windows

For Colonial and Contemporary Panels



Cascade I



Cascade II*



Cascade III*



Cathedral I



Cathedral II*



Clear I



Clear II*



Clear III*



Prairie I



Prairie II*



Sherwood I



Sherwood II*



Stockbridge*



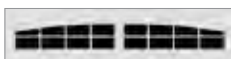
Stockton I



Stockton II*



Stockton III*



Arched Stockton*



Waterton I



Waterton II*



Waterton III*



Williamsburg I



Williamsburg II*

*Contemporary panel only

For Sonoma Panels



Cascade I



Cascade III



Cathedral I



Clear I



Clear III



Stockbridge



Stockton I



Stockton III



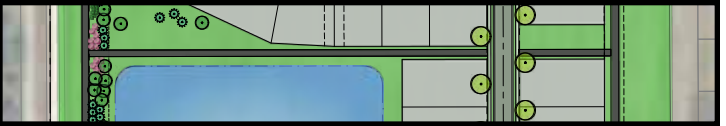
Arched Stockton



Waterton I

GARAGE DOOR EXHIBIT

FLAT FORK PUD



For Ranch Panels



Cascade II



Cathedral II



Clear II



Prairie II



Sherwood II



Stockbridge



Stockton II



Arched Stockton



Waterton II



Williamsburg II

For Sonoma Ranch



Ashton IV



Cathedral IV



Cascade IV



Clear IV



Ruston IV



Sherwood IV



Stockbridge IV (3-Lite)



Stockbridge IV (4-Lite)



Stockford IV



Stockton IV (4-Lite)



Stockton IV (6-Lite)



Stockton IV (8-Lite)



Stockton IV (8-Lite Arched)



Stockton IV (12-Lite)



Arched Stockton IV



Waterton IV



Williamsburg IV



Williamsburg IV Single Arch, Double Car



Wyndbridge IV

Not all windows available in all areas. Windows shown are typical of an 8' wide door and placement may vary by panel design.

The following windows are available for double car doors



Arched Stockton Double



Arched Stockton Single

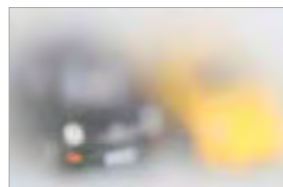
Glass Options



Clear



Gray Tinted

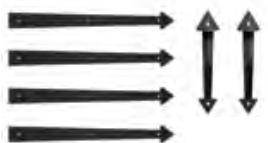


Satin Etched Privacy



Obscure

4 Choose Your Decorative Hardware



Arrow



Aspen



Barcelona



Bean



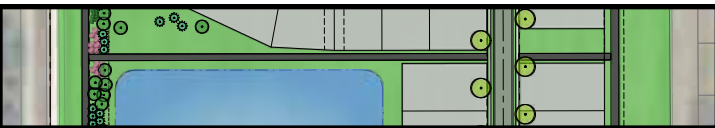
Conifer



Fleur De Lis



Spear



Colonial panel, White finish, Clear I windows

Builder Solutions from Wayne Dalton

We have developed the entire Wayne Dalton Builder Solutions System to make it easier for you to add value and enhance the market appeal of your homes. By offering beautiful garage doors, smart garage door openers, and storm protection, Wayne Dalton supplies a system of products that differentiate homes.

Our innovative products are designed to be the safest, most durable, beautiful, and best engineered in the industry.

Wayne Dalton
GARAGE DOORS

2501 S. State Hwy. 121 Bus., Ste 200
Lewisville, TX 75067

wayne-dalton.com



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TAB 8

ORDINANCE NO. 041723C

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 109.15 +/- ACRES FROM R2 TO PUD-M FOR A PROJECT KNOWN AS FLAT FORK PUD DISTRICT.

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance, ("UDO"), for the City of Fishers (the "City"), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers ("Plan Commission") has conducted a public hearing on Docket No. RZ-23-3 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its June 7, 2023 meeting sent a _____ recommendation to the Common Council by a vote of ____ () in favor and ____ () opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, MEETING IN REGULAR SESSION AS FOLLOWS:

SECTION 1. The City's Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A**, to PUD-M.

SECTION 2. This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

SECTION 3. The specific zoning standards, concept plan, and illustrative architectural exhibit shall be approved as shown in **Exhibit B** ("Petitioner's Packet"), attached.

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this ____ day of _____, 2023.

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

YAY		NAY	ABSTAIN
	John Weingardt, President		
	Cecilia Coble, Vice President		
	C. Pete Peterson, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____, 2023, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk



MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, 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." Lindsey Bennett

Exhibit A – Real Estate Description and Depiction

GEORGIA ROAD SITE, REZONE DESCRIPTION

A part of the Southwest Quarter of Section 7, Township 17 North, Range 6 East, in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point South 89 degrees 31 minutes 27 seconds West 375.80 feet of the Southeast corner of said Southwest Quarter Section to the centerline of an Electric Line Easement as recorded in Deed Record 183, pages 45-46, in the Office of the Recorder of Hamilton County, Indiana, being the point of beginning of this description; thence along the centerline of said Electric Line Easement by the next three (3) courses: 1) North 00 degrees 11 minutes 03 seconds West 824.19 feet; 2) North 00 degrees 09 minutes 08 seconds West 815.70 feet; 3) North 00 degrees 08 minutes 50 seconds West 666.84 feet; thence South 89 degrees 31 minutes 27 seconds West parallel to the South line of said Quarter Section a distance of 948.68 feet to the West line of the East Half of said Quarter Section; thence South 00 degrees 16 minutes 36 seconds East to the South line of said Quarter Section a distance of 2,307.09 feet; thence North 89 degrees 31 minutes 27 seconds East along the South line of said Quarter Section a distance of 944.06 feet to the point of beginning, containing 50.105 acres, more or less.

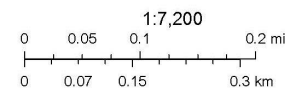
CYNTHEANNE ROAD SITE, REZONE DESCRIPTION (WITH OVERLAP)

Part of the Southeast Quarter of Section 7, Township 17 North, Range 6 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence South 00 degrees 33 minutes 20 seconds East 100.00 feet along the east line of said Southeast Quarter (the bearings in this description are based on a survey prepared by Curtis C. Huff, recorded as Instrument Number 200500063272 in the Office of the Recorder of Hamilton County, Indiana) to the northeast corner of Heritage Minor Subdivision, per plat thereof, recorded as Instrument Number 9609624712 in the Office of said Recorder, the following three (3) courses are along the north, west and south lines of said plat; 1)thence South 89 degrees 17 minutes 46 seconds West 300.00 feet; 2)thence South 00 degrees 33 minutes 20 seconds East 200.00 feet; 3)thence North 89 degrees 17 minutes 46 seconds East 300.00 feet to the east line of said Southeast Quarter, the following two (2) courses are along the east and south lines thereof; 1)thence South 00 degrees 33 minutes 20 seconds East 2,357.19 feet to the southeast corner of said Southeast Quarter; 2)thence South 89 degrees 33 minutes 28 seconds West 994.88 feet to the southwest corner of Overlap Tract No. 1 as described on said survey; thence North 00 degrees 24 minutes 15 seconds West 2,652.67 feet along the west line of said Overlap Tract No. 1 and the east lines of Tracts "B", "C" and "D" as shown on said survey to the north line of said Southeast Quarter; thence North 89 degrees 17 minutes 46 seconds East 987.87 feet along said north line to the POINT OF BEGINNING. Containing 59.045 acres, more or less.



- County Boundary
- Real Estate



2023

Exhibit B – FLAT FORK PUD



Planning & Zoning Department

City of Fishers

Ordinance: 041723C



A. Declaration, Purpose and Intent, Applicability, and Allowed Uses

1. Declaration

- a. Ordinance No. 041723C (this "Ordinance")
- b. Adopted: June 19, 2023

2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 062121B, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Exhibit B.1, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development – Mixed Use District (PUD-M) and shall hereafter be known as the "Flat Fork PUD".

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance 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.

3. Applicability

The standards of the UDO applicable to the *R5 Residential District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. The standards of the UDO applicable to the *C2 Neighborhood Business District* shall apply to the 3.74 +/- acre commercial block, as shown on the Concept Plans, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO 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 *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *R5 Residential District* shall be permitted in the residential areas. All uses permitted in the *C2 Neighborhood Business District* shall be permitted in the commercial block.

B. Concept Plans

The Concept Plans, attached hereto as Exhibit B.2, are 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. If the Director determines that a Development Plan is not substantially consistent with the Concept Plans (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 Flat Fork 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.

C. Standards for the District

1. Introductory Provisions

The regulations of *CHAPTER 1. INTRODUCTORY PROVISIONS* shall apply.

2. Administration

The regulations of *CHAPTER 2. ADMINISTRATION* shall apply.

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance. The total maximum number of lots within the Flat Fork PUD shall not exceed 220 lots.

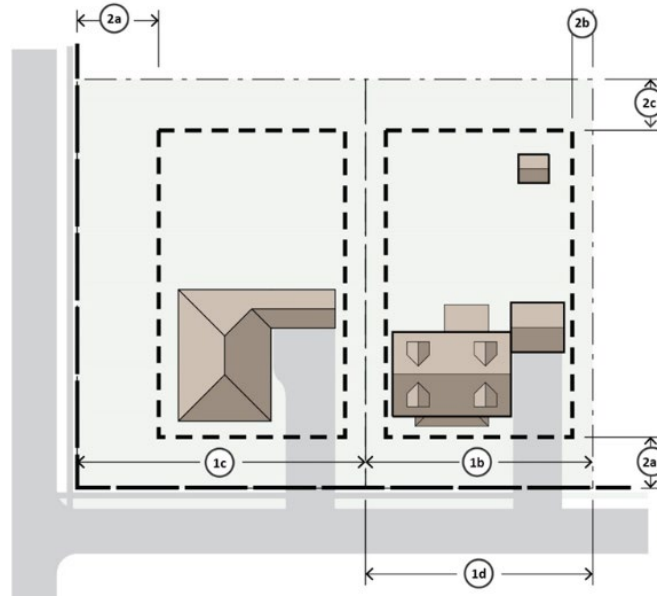
a. Article 3.1. Establishment of Zoning Districts: Shall apply.

b. Article 3.2. Residential Districts: Shall apply, except as modified below:

(1) *Sec. 3.2.6. R5 Residential District:* Shall not apply; instead, the following shall apply:

Development Standards

1. Minimum Lot Dimensions	
1a. Lot area	7,500 sf
1b. Lot width at building line – standard	60'
1c. Lot width at building line – corner	72'
1d. Lot frontage	35'
2. Minimum Building Setbacks	
2a. Front – local street / other street type	20' / 40'
2b. Side	5'
2c. Rear	20'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area, 1-story (min)	1,000 sf
4b. Living unit area, 2-story (min)	1,200 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	60%
5c. Alternative Standards	Sec. 8.4.7. Conservation Development
5d. Total structures per lot	Sec. 6.8.1G. Structures Per Lot
6. Maximum Lots Permitted	
6a. Maximum number of lots	220



c. **Article 3.3. Nonresidential Districts:** Shall apply to the commercial block.

d. **Article 3.4. Other Districts:** Shall apply.

4. Overlay Zoning Districts

The regulations of *CHAPTER 4. OVERLAY ZONING DISTRICTS* shall apply.

5. Use Regulations

The regulations of *CHAPTER 5. USE REGULATIONS* shall apply.

6. Development Standards

The regulations of *CHAPTER 6. DEVELOPMENT STANDARDS* shall apply, except as modified by this Ordinance.

a. **Article 6.1. General Provisions:** Shall apply.

b. **Article 6.2. Accessory Structure Standards:** Shall apply.

c. **Article 6.3. Architectural Design Standards:** Shall apply to the commercial block. Shall apply to the residential areas, except as modified below:

- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.
- (2) Residential dwellings shall incorporate at least two (2) types of modulation in the front façade plane, including, but not limited to: projections, recesses, and step backs that articulate wall planes and break up building mass.
- (3) Front façades equal to or longer than 20' shall provide a minimum total modulation area of 20% of the horizontal wall span, with a minimum vertical height of at least 3' tall. Porches and balconies, at least 4' in depth may count toward this requirement.
- (4) On front façades, residential dwellings shall use any combination of allowed material type, color variation, banding, stringcourse, or modulation to clearly distinguish between the ground level and upper stories.

- (5) Roof Standards
 - (i) *Subsections 6.3.4.B.3.a. and 6.3.4.B.3.b. Residential Design; Residential Building Form; Roof Standards:* Shall not apply.
 - (ii) All residential dwellings shall have eaves or overhangs a minimum of eleven (11) inches deep on the main roof. Depth shall be determined prior to the installation of the masonry. This shall not apply to front porches or dormers.
- (6) Garage Design
 - (i) *Subsection 6.3.4.B.4.a. Residential Design; Residential Building Form; Automobile Storage Standards:* Shall apply. However, there shall be no setback requirement for garages from the front façade plane.
 - (ii) *Subsection 6.3.4.B.4.c. Residential Design; Residential Building Form; Automobile Storage Standards:* Shall not apply.
 - (iii) Every two (2) bays (not more than 25' wide) shall have a separate door, and shall have a 2' plane separation from adjacent door(s).
 - (iv) Each garage door shall include a decorative design substantially similar in quality and character to the garage doors shown in the Garage Door Exhibit, attached hereto as **Exhibit B.4.**
- (7) Residential Materials
 - (i) *Subsection 6.3.4.D.2.a. Residential Design; Residential Materials; Standards:* Shall not apply.
 - (ii) Residential Dwellings shall distinguish field materials from accent materials through pattern, texture, or additional detail visible from front facade. Alternate masonry or material courses may count toward this.
 - (iii) *Subsection 6.3.4.D.2.e. Residential Design; Residential Materials; Standards:* Shall not apply.
- d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. **Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. **Article 6.6. Height Standards:** Shall apply.
- g. **Article 6.7. Landscaping Standards:** Shall apply, except as modified below:
 - (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. This shall not apply to foundation plantings nor other on-lot landscaping. However, the initial installation of street trees planted in a front yard of an individual homeowner's property shall be required to be native species. Non-native species may be installed with prior approval by City staff.
 - (2) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plant material may be of one species.
 - (3) *Subsection 6.7.5.B. Lot & Foundation Plantings; Foundation Planting:* Shall apply, except B.2 shall not apply.
- h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.
- i. **Article 6.9. Non-Residential Open Space:** Shall apply.
- j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.
- k. **Article 6.11. Parking & Loading Standards:** Shall apply.
- l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply.
- m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.
- n. **Article 6.14. Property Identification Standards:** Shall apply.
- o. **Article 6.15. Public Art Standards:** Shall apply.
- p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.

- q. **Article 6.17. Signage Standards:** Shall apply.
- r. **Article 6.18. Wall & Fence Standards:** Shall apply.
- s. **Article 6.19. Water & Sewer Standards:** Shall apply.
- t. **Article 6.20. Vision Clearance Standards:** Shall apply.

7. Subdivision Regulations

The regulations of *CHAPTER 7. SUBDIVISION DISTRICTS* shall apply.

8. Subdivision & Planned Unit Development Design Standards

The regulations of *CHAPTER 8. SUBDIVISION & PLANNED UNIT DEVELOPMENT DESIGN STANDARDS* shall apply, except as modified by this Ordinance.

- a. **Article 8.1. General Provisions:** Shall apply.
- b. **Article 8.2. Block, Lot & Access Standards:** Shall apply, except as modified below:
 - (1) *Subsection 8.2.2.C.1. Anti-Monotony; Anti-monotony Code; Front Façade:* Shall not apply. Instead, the following shall apply: Front façades on the same building model shall not be duplicated for two (2) lots on each side of the subject lot on the same side of the street. Also, front façades for the same building model may not be duplicated for three (3) lots across the street from the subject lot.
 - (2) *Subsection 8.2.2.C.3. Anti-Monotony; Anti-monotony Code; Masonry Package:* Shall not apply. Instead, the following shall apply: Masonry packages may not be duplicated for one (1) lots on each side of the subject lot on the same side of the street. Also, masonry packages may not be duplicated for one (1) house across the street from the subject lot.
 - (3) *Subsection 8.2.5.B. Subdivision Access; Entrance Design:* Shall not apply, except entrance shall be a minimum of 40 feet wide to provide one 16 feet wide inbound lane and two 12 feet wide outbound lanes extending at least 60 feet from the perimeter street's right-of-way line at the primary entrance to the subdivision.
 - (4) *Subsection 8.2.6. Pedestrian Network:* Shall apply, except that the location and width of sidewalks and paths shall be provided as generally shown on the Pedestrian Connectivity Exhibits, attached hereto as **Exhibit B.5**, or as otherwise approved by the City's Engineering Department.
- c. **Article 8.3. Street & Alley Standards:** Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards:** Shall not apply. Instead, the following shall apply:
 - (1) Open Space shall be provided as generally shown on the Concept Plans.
 - (2) A declaration shall reserve and dedicate to the City either a thirty (30) foot wide fee simple title or a thirty (30) foot wide railway easement, in the area generally identified on the Pedestrian Connectivity Exhibits (**Exhibit B.5**) as "Geist Greenway Easement".
 - (3) Shrubs shall not be required within any of the perimeter landscaping areas.
- e. **Article 8.5. Other Design Standards:** Shall apply, except as modified below:
 - (1) The detention pond may have natural pond edges provided it meets all other design standards.

9. Floodplain Standards

The regulations of *CHAPTER 9. FLOODPLAIN STANDARDS* shall apply.

10. Procedures & Permits

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply.

11. Enforcement & Penalties

The regulations of *CHAPTER 11. ENFORCEMENT & PENALTIES* shall apply.

12. Definitions

The regulations of *CHAPTER 12. DEFINITIONS* shall apply.

13. Sustainability Standards

The following sustainability standard shall apply:

- a. Rain barrels shall be permitted to be connected to the roof downspouts.

14. Impact Fees

Regardless of the Real Estate's annexation status at the time a building permit is issued, all applicable road, bridge and park impact fees shall be paid, subject to any applicable credits.

(Remainder of page intentionally left blank.)

Exhibit B.1 – Real Estate Description and Depiction

GEORGIA ROAD SITE, REZONE DESCRIPTION

A part of the Southwest Quarter of Section 7, Township 17 North, Range 6 East, in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point South 89 degrees 31 minutes 27 seconds West 375.80 feet of the Southeast corner of said Southwest Quarter Section to the centerline of an Electric Line Easement as recorded in Deed Record 183, pages 45-46, in the Office of the Recorder of Hamilton County, Indiana, being the point of beginning of this description; thence along the centerline of said Electric Line Easement by the next three (3) courses: 1) North 00 degrees 11 minutes 03 seconds West 824.19 feet; 2) North 00 degrees 09 minutes 08 seconds West 815.70 feet; 3) North 00 degrees 08 minutes 50 seconds West 666.84 feet; thence South 89 degrees 31 minutes 27 seconds West parallel to the South line of said Quarter Section a distance of 948.68 feet to the West line of the East Half of said Quarter Section; thence South 00 degrees 16 minutes 36 seconds East to the South line of said Quarter Section a distance of 2,307.09 feet; thence North 89 degrees 31 minutes 27 seconds East along the South line of said Quarter Section a distance of 944.06 feet to the point of beginning, containing 50.105 acres, more or less.

CYNTHEANNE ROAD SITE, REZONE DESCRIPTION (WITH OVERLAP)

Part of the Southeast Quarter of Section 7, Township 17 North, Range 6 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence South 00 degrees 33 minutes 20 seconds East 100.00 feet along the east line of said Southeast Quarter (the bearings in this description are based on a survey prepared by Curtis C. Huff, recorded as Instrument Number 200500063272 in the Office of the Recorder of Hamilton County, Indiana) to the northeast corner of Heritage Minor Subdivision, per plat thereof, recorded as Instrument Number 9609624712 in the Office of said Recorder, the following three (3) courses are along the north, west and south lines of said plat; 1)thence South 89 degrees 17 minutes 46 seconds West 300.00 feet; 2)thence South 00 degrees 33 minutes 20 seconds East 200.00 feet; 3)thence North 89 degrees 17 minutes 46 seconds East 300.00 feet to the east line of said Southeast Quarter, the following two (2) courses are along the east and south lines thereof; 1)thence South 00 degrees 33 minutes 20 seconds East 2,357.19 feet to the southeast corner of said Southeast Quarter; 2)thence South 89 degrees 33 minutes 28 seconds West 994.88 feet to the southwest corner of Overlap Tract No. 1 as described on said survey; thence North 00 degrees 24 minutes 15 seconds West 2,652.67 feet along the west line of said Overlap Tract No. 1 and the east lines of Tracts "B", "C" and "D" as shown on said survey to the north line of said Southeast Quarter; thence North 89 degrees 17 minutes 46 seconds East 987.87 feet along said north line to the POINT OF BEGINNING. Containing 59.045 acres, more or less.



- County Boundary
- Real Estate

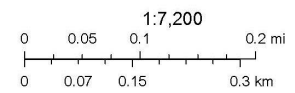


Exhibit B.2 – Concept Plans

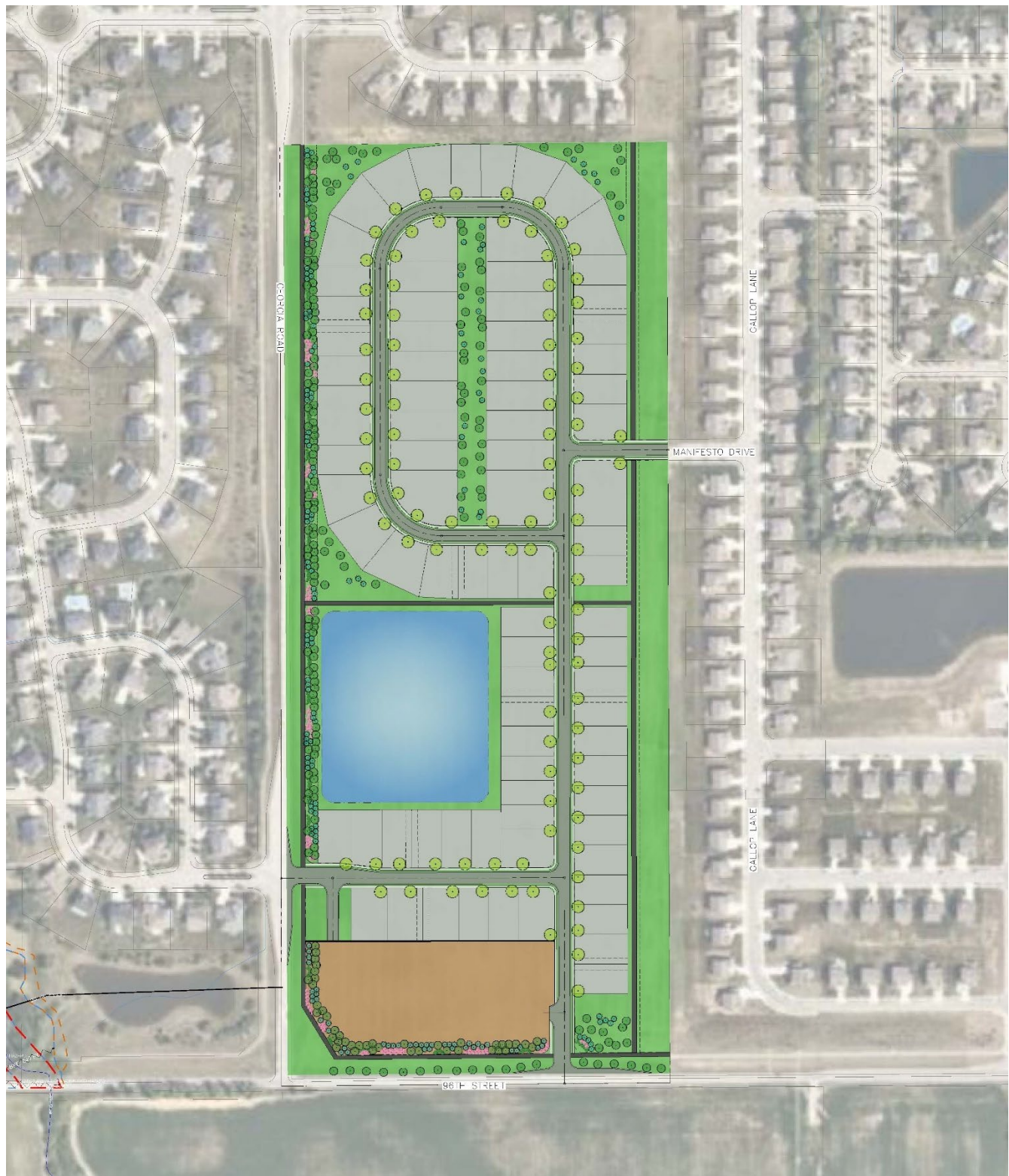


Exhibit B.2, continued – Concept Plans



Exhibit B.3 – Illustrative Architectural Exhibit



Exhibit B.4 – Garage Door Exhibit



MODEL

5120

BUILDER

CLASSIC STEEL



Sonoma panel, Almond finish, Decorative hardware

DOOR FEATURES

Pinch-Resistant Panels

designed to push fingers out of harm's way.

3-layer construction

Model 5120 utilizes a ToughGard® backer.

Foamed-In-Place Polyurethane Insulation

provides thermal efficiency with an R-value* of 9.

Integral Struts

add rigidity and strength for long life and smooth operation.



High Cycle Spring Option

Choose a 25,000 cycle spring for more than twice the life of a standard torsion spring.

TorqueMaster® Plus Counter Balance System

Contains springs safely inside a steel tube to prevent accidental release of tension that could cause injury and features anti-drop safety technology.

Wind Load Options



Available with structural reinforcements for use in coastal or high wind region.

Limited Lifetime Warranty



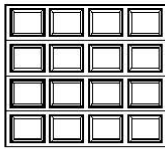
*Wayne Dalton uses a calculated door section R-value for our insulated doors.

The Builder Select Series

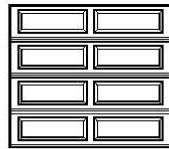
Exhibit B.4, continued – Garage Door Exhibit

1 Choose Your Style

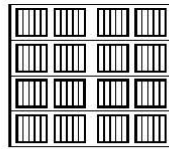
Doors shown are 8'x7'. Other sizes may have different panel configurations.



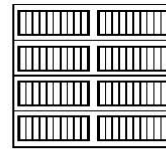
Colonial



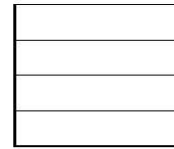
Ranch



Sonoma



Sonoma Ranch



Contemporary

2 Choose Your Color

Paint finishes



White



Almond



Desert Tan



Taupe



Gray



Green



Brown

3 Choose Your Windows

For Colonial and Contemporary Panels



Cascade I



Cascade II*



Cascade III*



Cathedral I



Cathedral II*



Clear I



Clear II*



Clear III*



Prairie I



Prairie II*



Sherwood I



Sherwood II*



Stockbridge*



Stockton I



Stockton II*



Stockton III*



Arched Stockton*



Waterton I



Waterton II*



Waterton III*



Williamsburg I



Williamsburg II*

*Contemporary panel only

For Sonoma Panels



Cascade I



Cascade III



Cathedral I



Clear I



Clear III



Stockbridge



Stockton I



Stockton III



Arched Stockton



Waterton I



Waterton III

Exhibit B.4, continued – Garage Door Exhibit

For Ranch Panels



Cascade II



Cathedral II



Clear II



Prairie II



Sherwood II



Stockbridge



Stockton II



Arched Stockton



Waterton II



Williamsburg II

For Sonoma Ranch



Ashton IV



Cathedral IV



Cascade IV



Clear IV



Ruston IV



Sherwood IV



Stockbridge IV (3-Lite)



Stockbridge IV (4-Lite)



Stockford IV



Stockton IV (4-Lite)



Stockton IV (6-Lite)



Stockton IV (8-Lite)



Stockton IV (8-Lite Arched)



Stockton IV (12-Lite)



Arched Stockton IV



Waterton IV



Williamsburg IV



Williamsburg IV Single Arch, Double Car



Wyndbridge IV

Not all windows available in all areas. Windows shown are typical of an 8' wide door and placement may vary by panel design.

The following windows are available for double car doors



Arched Stockton Double



Arched Stockton Single

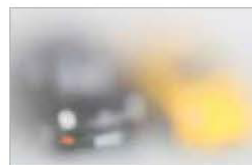
Glass Options



Clear



Gray Tinted



Satin Etched Privacy



Obscure

4 Choose Your Decorative Hardware



Arrow



Aspen



Barcelona



Bean



Conifer



Fleur De Lis



Spear

Exhibit B.5 – Pedestrian Connectivity Exhibits

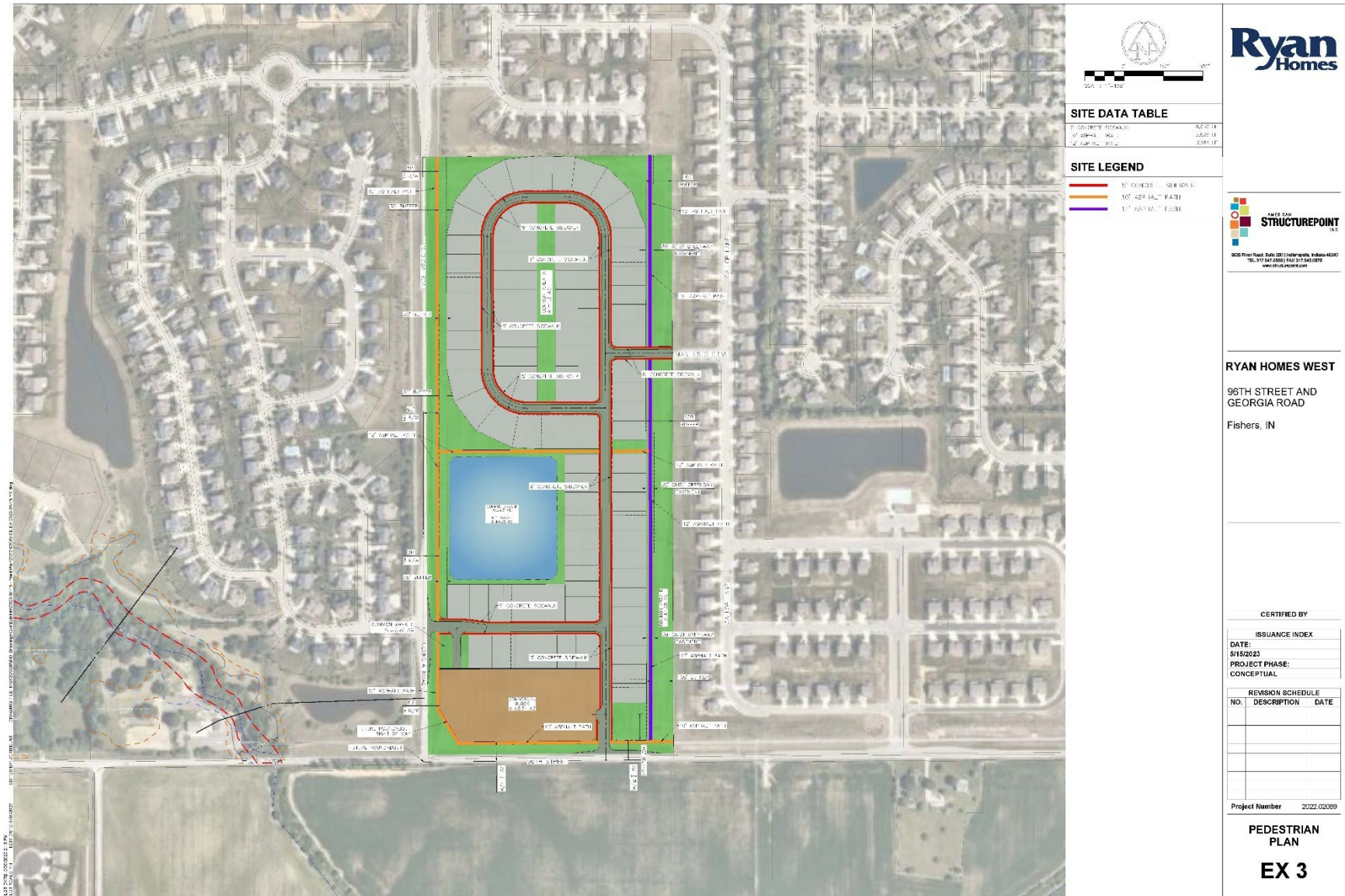
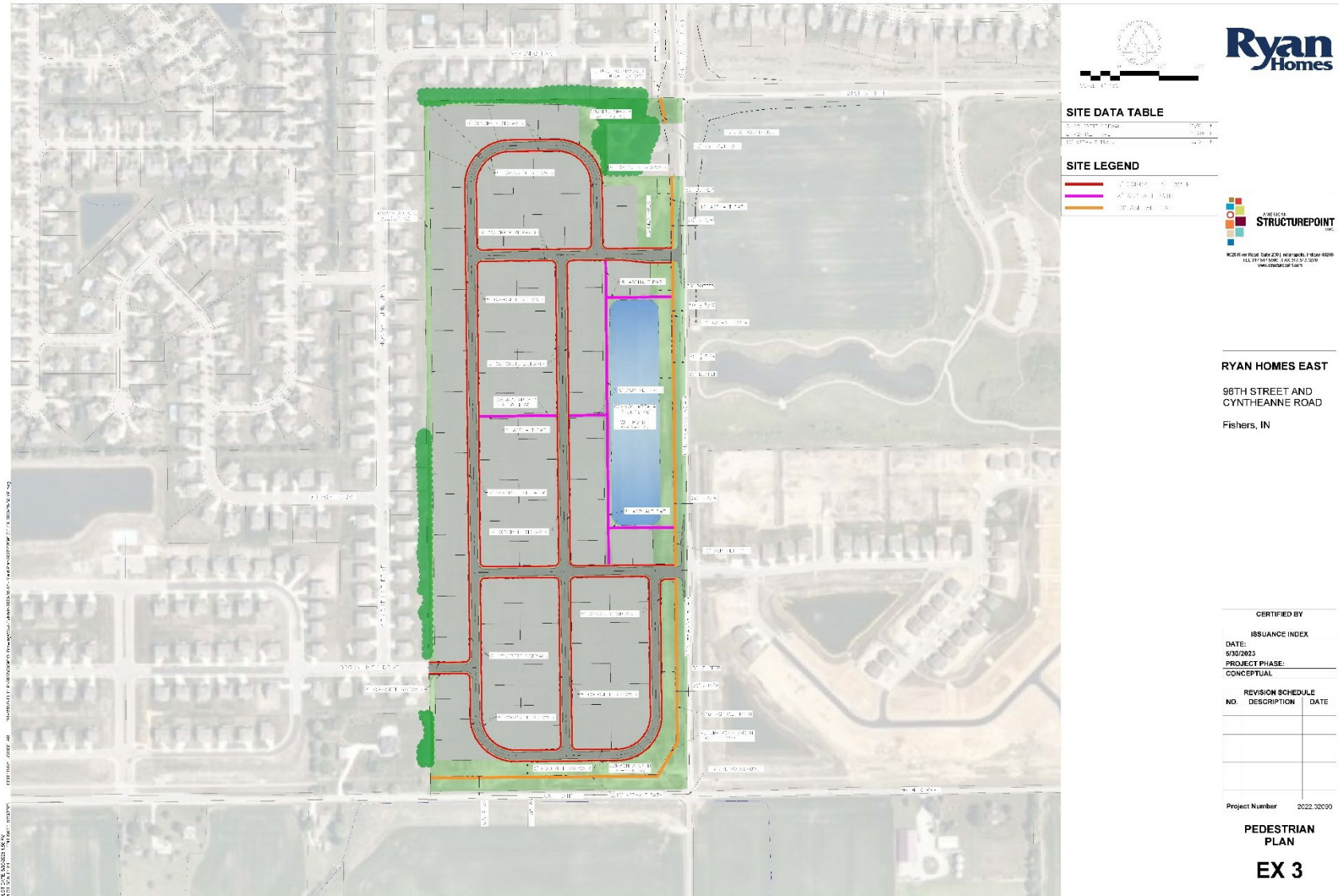


Exhibit B.5 – Pedestrian Connectivity Exhibits



ORDINANCE NO. 041723C

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 109.15 +/- ACRES FROM R2 TO PUD-M FOR A PROJECT KNOWN AS FLAT FORK PUD DISTRICT.

WHEREAS, this is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance, ("UDO"), for the City of Fishers (the "City"), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

WHEREAS, the Advisory Plan Commission for the City of Fishers ("Plan Commission") has conducted a public hearing on Docket No. RZ-23-3 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its June 7, 2023 meeting sent a _____ recommendation to the Common Council by a vote of ____ () in favor and ____ () opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, MEETING IN REGULAR SESSION AS FOLLOWS:

SECTION 1. The City's Official Zoning Map is hereby amended to designate the Real Estate, as described and shown in **Exhibit A**, to PUD-M.

SECTION 2. This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

SECTION 3. The specific zoning standards, concept plan, and illustrative architectural exhibit shall be approved as shown in **Exhibit B** ("Petitioner's Packet"), attached.

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this ____ day of _____, 2023.

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

YAY		NAY	ABSTAIN
	John Weingardt, President		
	Cecilia Coble, Vice President		
	C. Pete Peterson, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Todd Zimmerman, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____, 2023, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, Fishers City Clerk



MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, 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." Lindsey Bennett

Exhibit A – Real Estate Description and Depiction

GEORGIA ROAD SITE, REZONE DESCRIPTION

A part of the Southwest Quarter of Section 7, Township 17 North, Range 6 East, in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point South 89 degrees 31 minutes 27 seconds West 375.80 feet of the Southeast corner of said Southwest Quarter Section to the centerline of an Electric Line Easement as recorded in Deed Record 183, pages 45-46, in the Office of the Recorder of Hamilton County, Indiana, being the point of beginning of this description; thence along the centerline of said Electric Line Easement by the next three (3) courses: 1) North 00 degrees 11 minutes 03 seconds West 824.19 feet; 2) North 00 degrees 09 minutes 08 seconds West 815.70 feet; 3) North 00 degrees 08 minutes 50 seconds West 666.84 feet; thence South 89 degrees 31 minutes 27 seconds West parallel to the South line of said Quarter Section a distance of 948.68 feet to the West line of the East Half of said Quarter Section; thence South 00 degrees 16 minutes 36 seconds East to the South line of said Quarter Section a distance of 2,307.09 feet; thence North 89 degrees 31 minutes 27 seconds East along the South line of said Quarter Section a distance of 944.06 feet to the point of beginning, containing 50.105 acres, more or less.

CYNTHEANNE ROAD SITE, REZONE DESCRIPTION (WITH OVERLAP)

Part of the Southeast Quarter of Section 7, Township 17 North, Range 6 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence South 00 degrees 33 minutes 20 seconds East 100.00 feet along the east line of said Southeast Quarter (the bearings in this description are based on a survey prepared by Curtis C. Huff, recorded as Instrument Number 200500063272 in the Office of the Recorder of Hamilton County, Indiana) to the northeast corner of Heritage Minor Subdivision, per plat thereof, recorded as Instrument Number 9609624712 in the Office of said Recorder, the following three (3) courses are along the north, west and south lines of said plat; 1)thence South 89 degrees 17 minutes 46 seconds West 300.00 feet; 2)thence South 00 degrees 33 minutes 20 seconds East 200.00 feet; 3)thence North 89 degrees 17 minutes 46 seconds East 300.00 feet to the east line of said Southeast Quarter, the following two (2) courses are along the east and south lines thereof; 1)thence South 00 degrees 33 minutes 20 seconds East 2,357.19 feet to the southeast corner of said Southeast Quarter; 2)thence South 89 degrees 33 minutes 28 seconds West 994.88 feet to the southwest corner of Overlap Tract No. 1 as described on said survey; thence North 00 degrees 24 minutes 15 seconds West 2,652.67 feet along the west line of said Overlap Tract No. 1 and the east lines of Tracts "B", "C" and "D" as shown on said survey to the north line of said Southeast Quarter; thence North 89 degrees 17 minutes 46 seconds East 987.87 feet along said north line to the POINT OF BEGINNING. Containing 59.045 acres, more or less.



— County Boundary
 ■ Real Estate

1:7,200
 0 0.05 0.1 0.2 mi
 0 0.07 0.15 0.3 km

2023

Exhibit B – FLAT FORK PUD



Planning & Zoning Department

City of Fishers

Ordinance: 041723C



A. Declaration, Purpose and Intent, Applicability, and Allowed Uses

1. Declaration

- a. Ordinance No. 041723C (this "Ordinance")
- b. Adopted: June 19, 2023

2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 062121B, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in Exhibit B.1, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development – Mixed Use District (PUD-M) and shall hereafter be known as the "Flat Fork PUD".

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance 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.

3. Applicability

The standards of the UDO applicable to the *R5 Residential District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. The standards of the UDO applicable to the *C2 Neighborhood Business District* shall apply to the 3.74 +/- acre commercial block, as shown on the Concept Plans, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO 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 *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *R5 Residential District* shall be permitted in the residential areas. All uses permitted in the *C2 Neighborhood Business District* shall be permitted in the commercial block.

B. Concept Plans

The Concept Plans, attached hereto as Exhibit B.2, are 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. If the Director determines that a Development Plan is not substantially consistent with the Concept Plans (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 Flat Fork 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.

C. Standards for the District

1. Introductory Provisions

The regulations of *CHAPTER 1. INTRODUCTORY PROVISIONS* shall apply.

2. Administration

The regulations of *CHAPTER 2. ADMINISTRATION* shall apply.

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance. The total maximum number of lots within the Flat Fork PUD shall not exceed 220 lots.

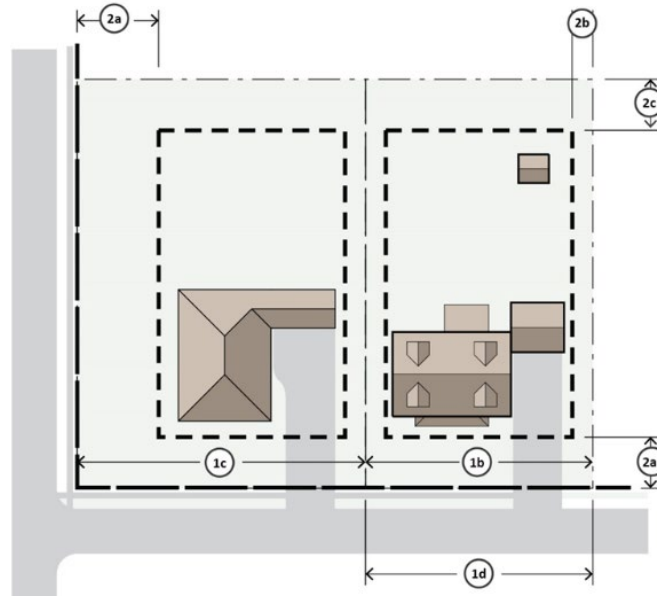
a. Article 3.1. Establishment of Zoning Districts: Shall apply.

b. Article 3.2. Residential Districts: Shall apply, except as modified below:

(1) *Sec. 3.2.6. R5 Residential District:* Shall not apply; instead, the following shall apply:

Development Standards

1. Minimum Lot Dimensions	
1a. Lot area	7,500 sf
1b. Lot width at building line – standard	60'
1c. Lot width at building line – corner	72'
1d. Lot frontage	35'
2. Minimum Building Setbacks	
2a. Front – local street / other street type	20' / 40'
2b. Side	5'
2c. Rear	20'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area, 1-story (min)	1,000 sf
4b. Living unit area, 2-story (min)	1,200 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	60%
5c. Alternative Standards	Sec. 8.4.7. Conservation Development
5d. Total structures per lot	Sec. 6.8.1G. Structures Per Lot
6. Maximum Lots Permitted	
6a. Maximum number of lots	220



c. **Article 3.3. Nonresidential Districts:** Shall apply to the commercial block.

d. **Article 3.4. Other Districts:** Shall apply.

4. Overlay Zoning Districts

The regulations of *CHAPTER 4. OVERLAY ZONING DISTRICTS* shall apply.

5. Use Regulations

The regulations of *CHAPTER 5. USE REGULATIONS* shall apply.

6. Development Standards

The regulations of *CHAPTER 6. DEVELOPMENT STANDARDS* shall apply, except as modified by this Ordinance.

a. **Article 6.1. General Provisions:** Shall apply.

b. **Article 6.2. Accessory Structure Standards:** Shall apply.

c. **Article 6.3. Architectural Design Standards:** Shall apply to the commercial block. Shall apply to the residential areas, except as modified below:

- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.
- (2) Residential dwellings shall incorporate at least two (2) types of modulation in the front façade plane, including, but not limited to: projections, recesses, and step backs that articulate wall planes and break up building mass.
- (3) Front façades equal to or longer than 20' shall provide a minimum total modulation area of 20% of the horizontal wall span, with a minimum vertical height of at least 3' tall. Porches and balconies, at least 4' in depth may count toward this requirement.
- (4) On front façades, residential dwellings shall use any combination of allowed material type, color variation, banding, stringcourse, or modulation to clearly distinguish between the ground level and upper stories.

- (5) Roof Standards
 - (i) *Subsections 6.3.4.B.3.a. and 6.3.4.B.3.b. Residential Design; Residential Building Form; Roof Standards:* Shall not apply.
 - (ii) All residential dwellings shall have eaves or overhangs a minimum of eleven (11) inches deep on the main roof. Depth shall be determined prior to the installation of the masonry. This shall not apply to front porches or dormers.
- (6) Garage Design
 - (i) *Subsection 6.3.4.B.4.a. Residential Design; Residential Building Form; Automobile Storage Standards:* Shall apply. However, there shall be no setback requirement for garages from the front façade plane.
 - (ii) *Subsection 6.3.4.B.4.c. Residential Design; Residential Building Form; Automobile Storage Standards:* Shall not apply.
 - (iii) Every two (2) bays (not more than 25' wide) shall have a separate door, and shall have a 2' plane separation from adjacent door(s).
 - (iv) Each garage door shall include a decorative design substantially similar in quality and character to the garage doors shown in the Garage Door Exhibit, attached hereto as **Exhibit B.4.**
- (7) Residential Materials
 - (i) *Subsection 6.3.4.D.2.a. Residential Design; Residential Materials; Standards:* Shall not apply.
 - (ii) Residential Dwellings shall distinguish field materials from accent materials through pattern, texture, or additional detail visible from front facade. Alternate masonry or material courses may count toward this.
 - (iii) *Subsection 6.3.4.D.2.e. Residential Design; Residential Materials; Standards:* Shall not apply.
- d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. **Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. **Article 6.6. Height Standards:** Shall apply.
- g. **Article 6.7. Landscaping Standards:** Shall apply, except as modified below:
 - (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. This shall not apply to foundation plantings nor other on-lot landscaping. However, the initial installation of street trees planted in a front yard of an individual homeowner's property shall be required to be native species. Non-native species may be installed with prior approval by City staff.
 - (2) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plant material may be of one species.
 - (3) *Subsection 6.7.5.B. Lot & Foundation Plantings; Foundation Planting:* Shall apply, except B.2 shall not apply.
- h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.
- i. **Article 6.9. Non-Residential Open Space:** Shall apply.
- j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.
- k. **Article 6.11. Parking & Loading Standards:** Shall apply.
- l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply.
- m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.
- n. **Article 6.14. Property Identification Standards:** Shall apply.
- o. **Article 6.15. Public Art Standards:** Shall apply.
- p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.

- q. **Article 6.17. Signage Standards:** Shall apply.
- r. **Article 6.18. Wall & Fence Standards:** Shall apply.
- s. **Article 6.19. Water & Sewer Standards:** Shall apply.
- t. **Article 6.20. Vision Clearance Standards:** Shall apply.

7. Subdivision Regulations

The regulations of *CHAPTER 7. SUBDIVISION DISTRICTS* shall apply.

8. Subdivision & Planned Unit Development Design Standards

The regulations of *CHAPTER 8. SUBDIVISION & PLANNED UNIT DEVELOPMENT DESIGN STANDARDS* shall apply, except as modified by this Ordinance.

- a. **Article 8.1. General Provisions:** Shall apply.
- b. **Article 8.2. Block, Lot & Access Standards:** Shall apply, except as modified below:
 - (1) *Subsection 8.2.2.C.1. Anti-Monotony; Anti-monotony Code; Front Façade:* Shall not apply. Instead, the following shall apply: Front façades on the same building model shall not be duplicated for two (2) lots on each side of the subject lot on the same side of the street. Also, front façades for the same building model may not be duplicated for three (3) lots across the street from the subject lot.
 - (2) *Subsection 8.2.2.C.3. Anti-Monotony; Anti-monotony Code; Masonry Package:* Shall not apply. Instead, the following shall apply: Masonry packages may not be duplicated for one (1) lots on each side of the subject lot on the same side of the street. Also, masonry packages may not be duplicated for one (1) house across the street from the subject lot.
 - (3) *Subsection 8.2.5.B. Subdivision Access; Entrance Design:* Shall not apply, except entrance shall be a minimum of 40 feet wide to provide one 16 feet wide inbound lane and two 12 feet wide outbound lanes extending at least 60 feet from the perimeter street's right-of-way line at the primary entrance to the subdivision.
 - (4) *Subsection 8.2.6. Pedestrian Network:* Shall apply, except that the location and width of sidewalks and paths shall be provided as generally shown on the Pedestrian Connectivity Exhibits, attached hereto as **Exhibit B.5**, or as otherwise approved by the City's Engineering Department.
- c. **Article 8.3. Street & Alley Standards:** Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards:** Shall not apply. Instead, the following shall apply:
 - (1) Open Space shall be provided as generally shown on the Concept Plans.
 - (2) A declaration shall reserve and dedicate to the City either a thirty (30) foot wide fee simple title or a thirty (30) foot wide railway easement, in the area generally identified on the Pedestrian Connectivity Exhibits (**Exhibit B.5**) as "Geist Greenway Easement".
 - (3) Shrubs shall not be required within any of the perimeter landscaping areas.
- e. **Article 8.5. Other Design Standards:** Shall apply, except as modified below:
 - (1) The detention pond may have natural pond edges provided it meets all other design standards.

9. Floodplain Standards

The regulations of *CHAPTER 9. FLOODPLAIN STANDARDS* shall apply.

10. Procedures & Permits

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply.

11. Enforcement & Penalties

The regulations of *CHAPTER 11. ENFORCEMENT & PENALTIES* shall apply.

12. Definitions

The regulations of *CHAPTER 12. DEFINITIONS* shall apply.

13. Sustainability Standards

The following sustainability standard shall apply:

- a. Rain barrels shall be permitted to be connected to the roof downspouts.

14. Impact Fees

Regardless of the Real Estate's annexation status at the time a building permit is issued, all applicable road, bridge and park impact fees shall be paid, subject to any applicable credits.

(Remainder of page intentionally left blank.)

Exhibit B.1 – Real Estate Description and Depiction

GEORGIA ROAD SITE, REZONE DESCRIPTION

A part of the Southwest Quarter of Section 7, Township 17 North, Range 6 East, in Fall Creek Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at a point South 89 degrees 31 minutes 27 seconds West 375.80 feet of the Southeast corner of said Southwest Quarter Section to the centerline of an Electric Line Easement as recorded in Deed Record 183, pages 45-46, in the Office of the Recorder of Hamilton County, Indiana, being the point of beginning of this description; thence along the centerline of said Electric Line Easement by the next three (3) courses: 1) North 00 degrees 11 minutes 03 seconds West 824.19 feet; 2) North 00 degrees 09 minutes 08 seconds West 815.70 feet; 3) North 00 degrees 08 minutes 50 seconds West 666.84 feet; thence South 89 degrees 31 minutes 27 seconds West parallel to the South line of said Quarter Section a distance of 948.68 feet to the West line of the East Half of said Quarter Section; thence South 00 degrees 16 minutes 36 seconds East to the South line of said Quarter Section a distance of 2,307.09 feet; thence North 89 degrees 31 minutes 27 seconds East along the South line of said Quarter Section a distance of 944.06 feet to the point of beginning, containing 50.105 acres, more or less.

CYNTHEANNE ROAD SITE, REZONE DESCRIPTION (WITH OVERLAP)

Part of the Southeast Quarter of Section 7, Township 17 North, Range 6 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

BEGINNING at the northeast corner of said Southeast Quarter; thence South 00 degrees 33 minutes 20 seconds East 100.00 feet along the east line of said Southeast Quarter (the bearings in this description are based on a survey prepared by Curtis C. Huff, recorded as Instrument Number 200500063272 in the Office of the Recorder of Hamilton County, Indiana) to the northeast corner of Heritage Minor Subdivision, per plat thereof, recorded as Instrument Number 9609624712 in the Office of said Recorder, the following three (3) courses are along the north, west and south lines of said plat; 1)thence South 89 degrees 17 minutes 46 seconds West 300.00 feet; 2)thence South 00 degrees 33 minutes 20 seconds East 200.00 feet; 3)thence North 89 degrees 17 minutes 46 seconds East 300.00 feet to the east line of said Southeast Quarter, the following two (2) courses are along the east and south lines thereof; 1)thence South 00 degrees 33 minutes 20 seconds East 2,357.19 feet to the southeast corner of said Southeast Quarter; 2)thence South 89 degrees 33 minutes 28 seconds West 994.88 feet to the southwest corner of Overlap Tract No. 1 as described on said survey; thence North 00 degrees 24 minutes 15 seconds West 2,652.67 feet along the west line of said Overlap Tract No. 1 and the east lines of Tracts "B", "C" and "D" as shown on said survey to the north line of said Southeast Quarter; thence North 89 degrees 17 minutes 46 seconds East 987.87 feet along said north line to the POINT OF BEGINNING. Containing 59.045 acres, more or less.



- County Boundary
- Real Estate

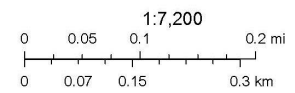


Exhibit B.2 – Concept Plans

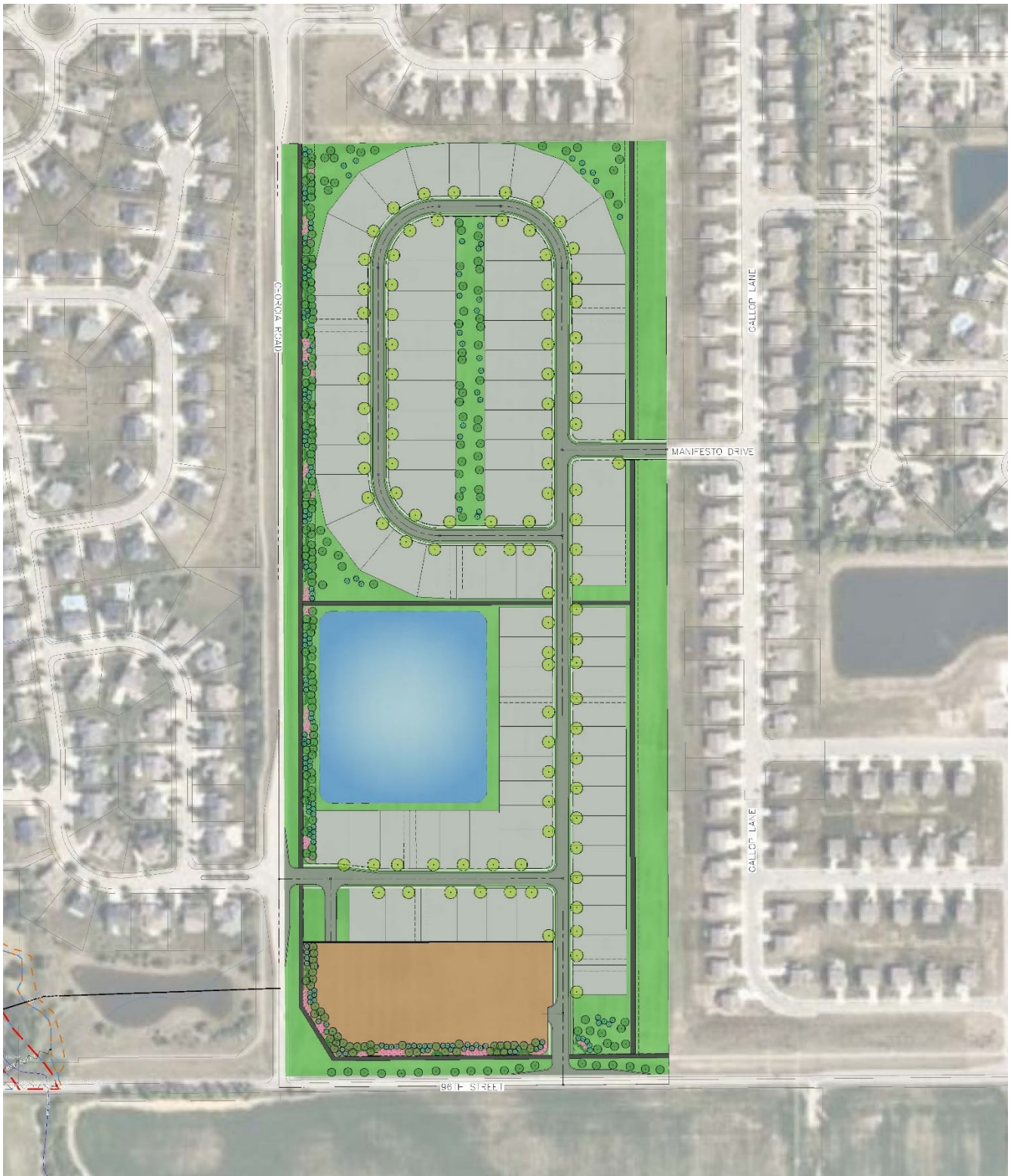


Exhibit B.2, continued – Concept Plans



Exhibit B.3 – Illustrative Architectural Exhibit



Exhibit B.4 – Garage Door Exhibit



MODEL

5120

BUILDER

CLASSIC STEEL



Sonoma panel, Almond finish, Decorative hardware

DOOR FEATURES

Pinch-Resistant Panels

designed to push fingers out of harm's way.

3-layer construction

Model 5120 utilizes a ToughGard® backer.

Foamed-In-Place Polyurethane Insulation

provides thermal efficiency with an R-value* of 9.

Integral Struts

add rigidity and strength for long life and smooth operation.



High Cycle Spring Option

Choose a 25,000 cycle spring for more than twice the life of a standard torsion spring.

TorqueMaster® Plus Counter Balance System

Contains springs safely inside a steel tube to prevent accidental release of tension that could cause injury and features anti-drop safety technology.

Wind Load Options



Available with structural reinforcements for use in coastal or high wind region.

Limited Lifetime Warranty



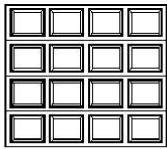
*Wayne Dalton uses a calculated door section R-value for our insulated doors.

The Builder Select Series

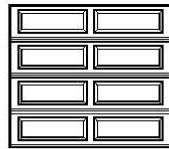
Exhibit B.4, continued – Garage Door Exhibit

1 Choose Your Style

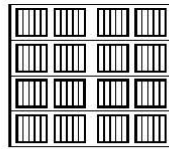
Doors shown are 8'x7'. Other sizes may have different panel configurations.



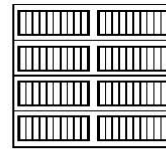
Colonial



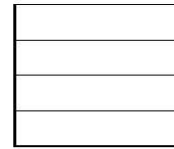
Ranch



Sonoma



Sonoma Ranch



Contemporary

2 Choose Your Color

Paint finishes



White



Almond



Desert Tan



Taupe



Gray



Green



Brown

3 Choose Your Windows

For Colonial and Contemporary Panels



Cascade I



Cascade II*



Cascade III*



Cathedral I



Cathedral II*



Clear I



Clear II*



Clear III*



Prairie I



Prairie II*



Sherwood I



Sherwood II*



Stockbridge*



Stockton I



Stockton II*



Stockton III*



Arched Stockton*



Waterton I



Waterton II*



Waterton III*



Williamsburg I



Williamsburg II*

*Contemporary panel only

For Sonoma Panels



Cascade I



Cascade III



Cathedral I



Clear I



Clear III



Stockbridge



Stockton I



Stockton III



Arched Stockton



Waterton I



Waterton III

Exhibit B.4, continued – Garage Door Exhibit

For Ranch Panels



Cascade II



Cathedral II



Clear II



Prairie II



Sherwood II



Stockbridge



Stockton II



Arched Stockton



Waterton II



Williamsburg II

For Sonoma Ranch



Ashton IV



Cathedral IV



Cascade IV



Clear IV



Ruston IV



Sherwood IV



Stockbridge IV (3-Lite)



Stockbridge IV (4-Lite)



Stockford IV



Stockton IV (4-Lite)



Stockton IV (6-Lite)



Stockton IV (8-Lite)



Stockton IV (8-Lite Arched)



Stockton IV (12-Lite)



Arched Stockton IV



Waterton IV



Williamsburg IV



Williamsburg IV Single Arch, Double Car



Wyndbridge IV

Not all windows available in all areas. Windows shown are typical of an 8' wide door and placement may vary by panel design.

The following windows are available for double car doors



Arched Stockton Double



Arched Stockton Single

Glass Options



Clear



Gray Tinted



Satin Etched Privacy



Obscure

4 Choose Your Decorative Hardware



Arrow



Aspen



Barcelona



Bean



Conifer



Fleur De Lis



Spear

Exhibit B.5 – Pedestrian Connectivity Exhibits

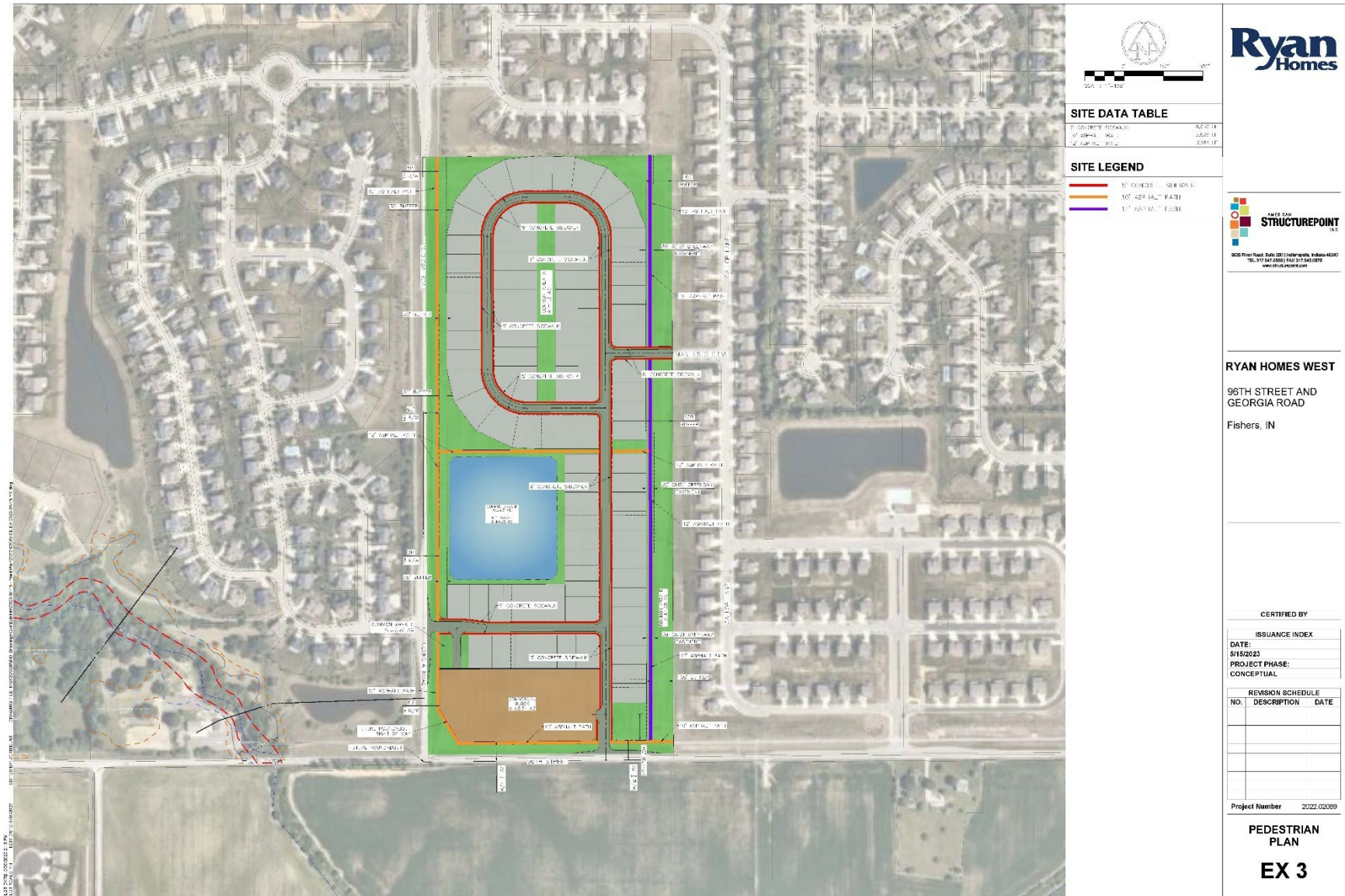
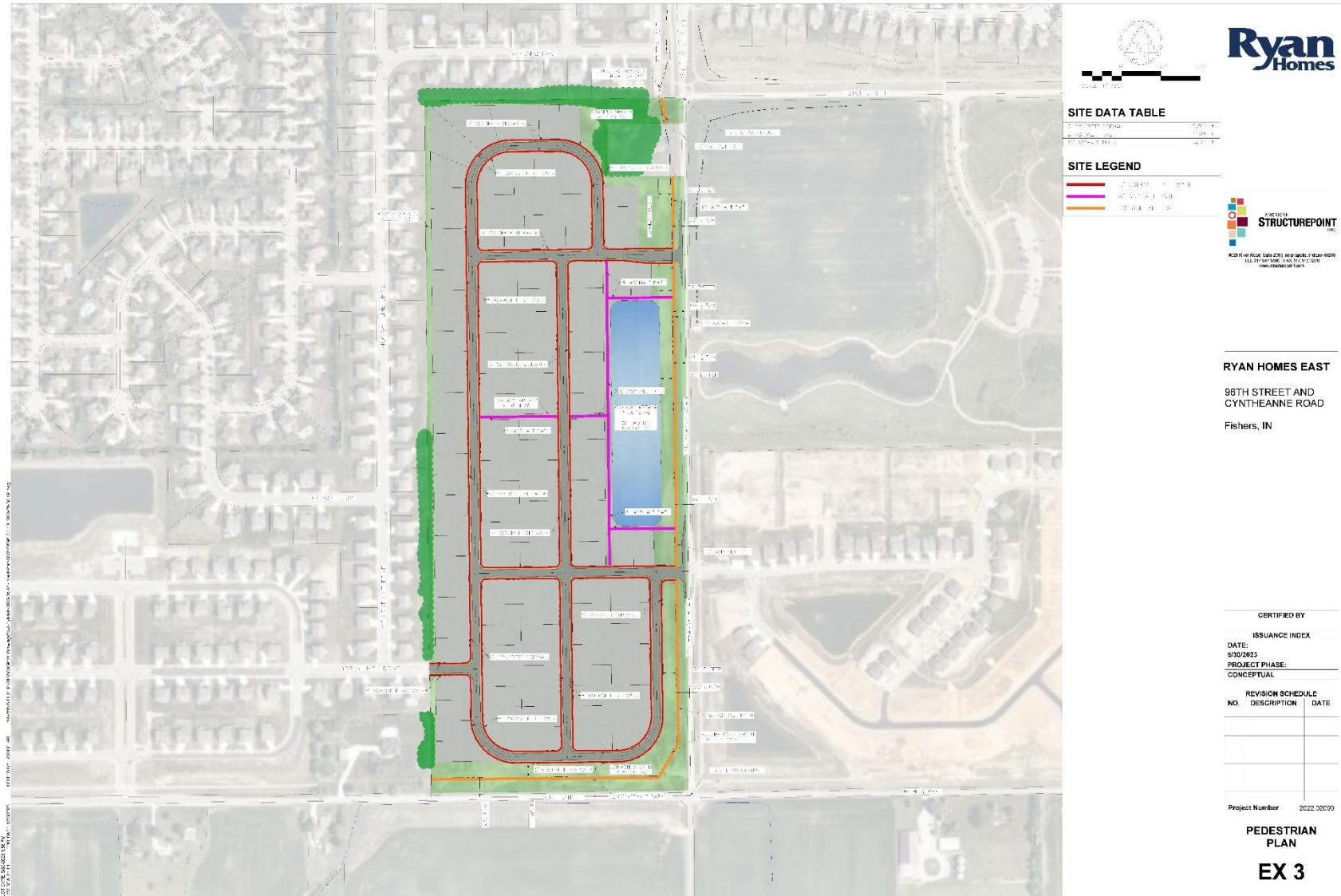
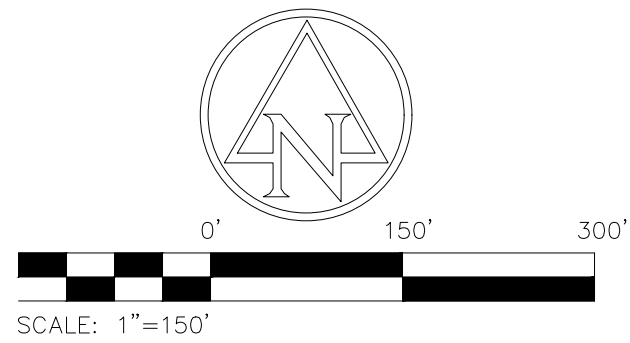


Exhibit B.5 – Pedestrian Connectivity Exhibits



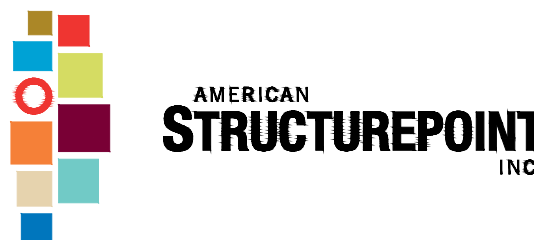


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EDITED BY: JCRBELAR
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SITE LEGEND

 LIGHT POLE



9025 River Road, Suite 200 | Indianapolis, Indiana 46240
TEL 317.547.5580 | FAX 317.543.0270
www.structurepoint.com

RYAN HOMES EAST

96TH STREET AND
CYNTHEANNE ROAD

Fishers, IN

CERTIFIED BY

ISSUANCE INDEX

DATE:
5/30/2023
PROJECT PHASE:
CONCEPTUAL

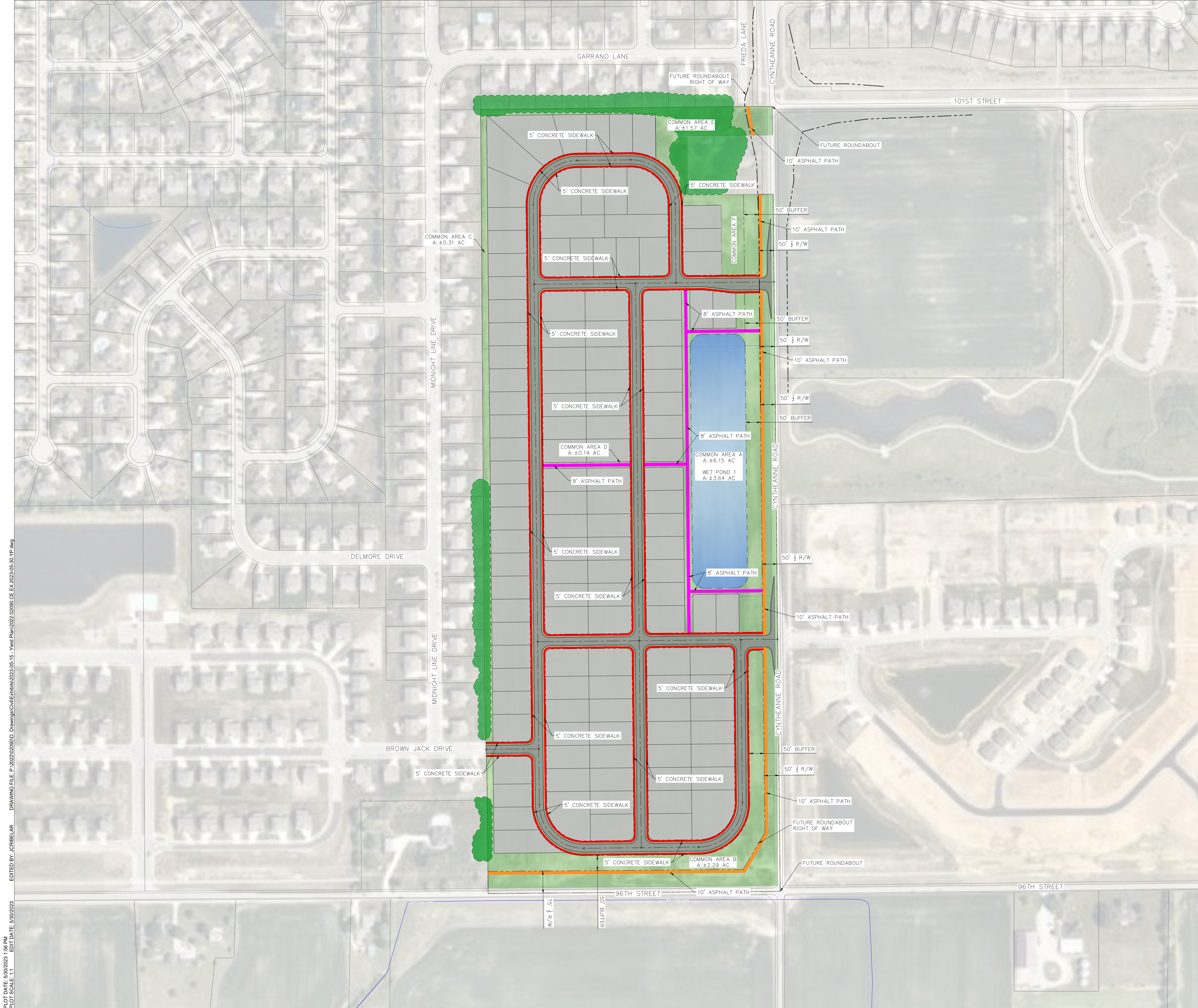
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

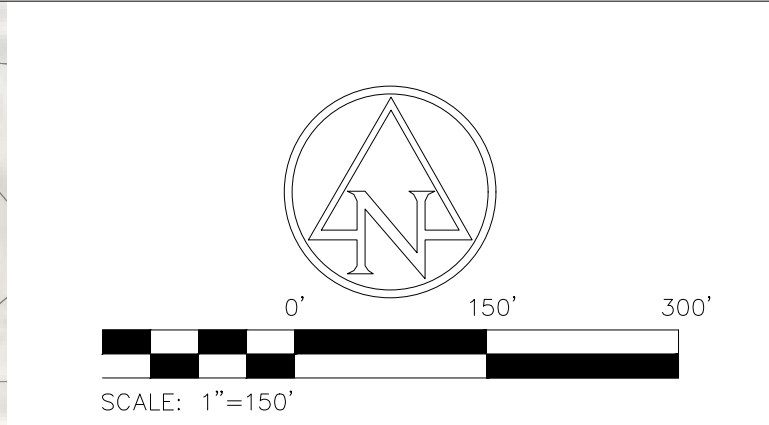
Project Number 2022.02090

LIGHTING
PLAN

EX 2



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SITE DATA TABLE	
5' CONCRETE SIDEWALK:	15,021 LF
8' ASPHALT TRAIL:	2,098 LF
10' ASPHALT TRAIL:	3,197 LF

SITE LEGEND	
—	5' CONCRETE SIDEWALK
—	8' ASPHALT PATH
—	10' ASPHALT PATH



AMERICAN
STRUCTUREPOINT
INC.

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CYNTHEANNE ROAD

Fishers, IN

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ISSUANCE INDEX	
DATE:	5/30/2023
PROJECT PHASE:	CONCEPTUAL

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

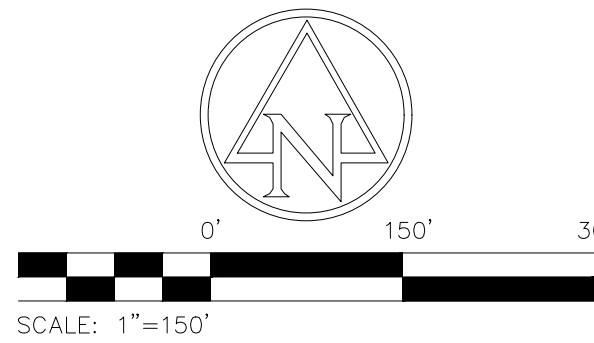
Project Number 2022.02090

PEDESTRIAN
PLAN

EX 3



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SITE DATA TABLE

SITE ZONING:	R-2
GROSS AREA:	±59.00 AC.
PUBLIC RIGHT-OF-WAY (R/W):	±13.67 AC. (23.2%)
COMMON AREA:	±10.46 AC. (17.7%)
WET POND AREA:	±3.64 AC. (6.2%)
TOTAL BLOCK AREA:	±0.00 AC. (0.0%)
TOTAL LOT AREA:	±34.87 AC. (59.1%)



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CYNTHEANNE ROAD

Fishers, IN

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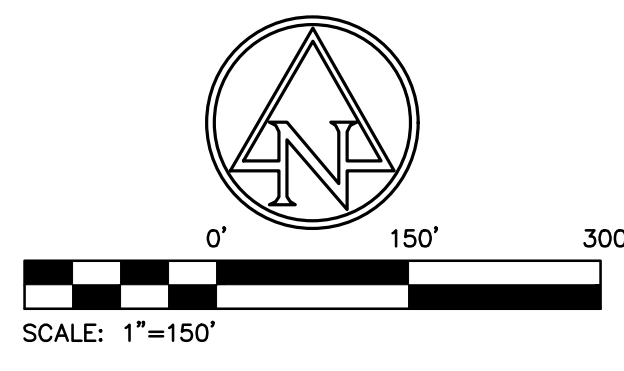
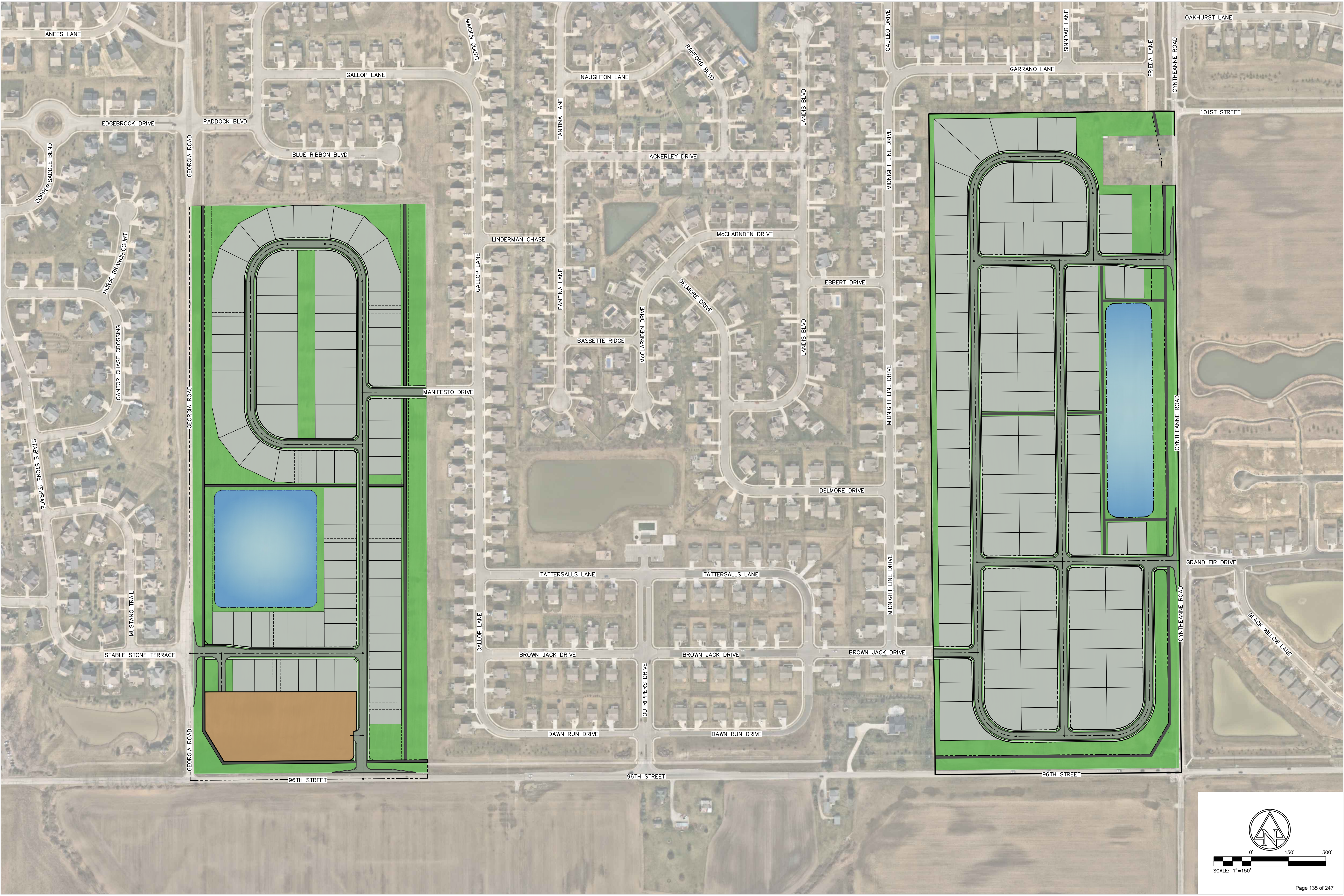
ISSUANCE INDEX		
DATE:	5/30/2023	
PROJECT PHASE:	CONCEPTUAL	

REVISION SCHEDULE		
NO.	DESCRIPTION	DATE

Project Number 2022.02090

OPEN SPACE PLAN

EX 4





Advisory Plan Commission Staff Report

Meeting Date: June 7, 2023

DEPARTMENT CONTACT:

Ross Hilleary,
hillearyr@fishers.in.us

CASE NUMBER:

TA-22-36

PETITIONER:

City of Fishers

PROPERTY ADDRESS/LOCATION:

All Properties within the Northeast Commerce Park Planned Unit Development along Technology Drive, Technology Lane, and Visionary Way, and 12162 Lantern Road, 8820 E 121st Street, 8830 E 121st Street, 8844 E 121st Street, 8850 E 121st Street, 8843 E 121st Street, 8833 E 121st Street, 8813 E 121st Street, 8803 E 121st Street, 12002 Lantern Road, 8850 Circle Drive, 8830 Circle Drive, 0 Circle Drive, 8821 Circle Drive, 11968 Lantern Road, 11900 Lantern Road, 0 Lantern Road.

REQUEST: Consideration of a text amendment to various sections of the Nickel Plate District Code (NPDC), including the Zone Map to add the TC - Technology Center Zoning District, Figure 1.3 Development Standards, Figure 1.4 Building Types, for the rezoning of the Northeast Commerce Park (Ord. No. 052118K) to the new TC - Technology Center Zoning District, and the properties zoned VC - Village Center Zoning District between Lantern Road and the Nickel Plate Trail to DC - Downtown Core Zoning District.

EXISTING ZONING:

Northeast Commerce Park PUD
or VC - Village Center

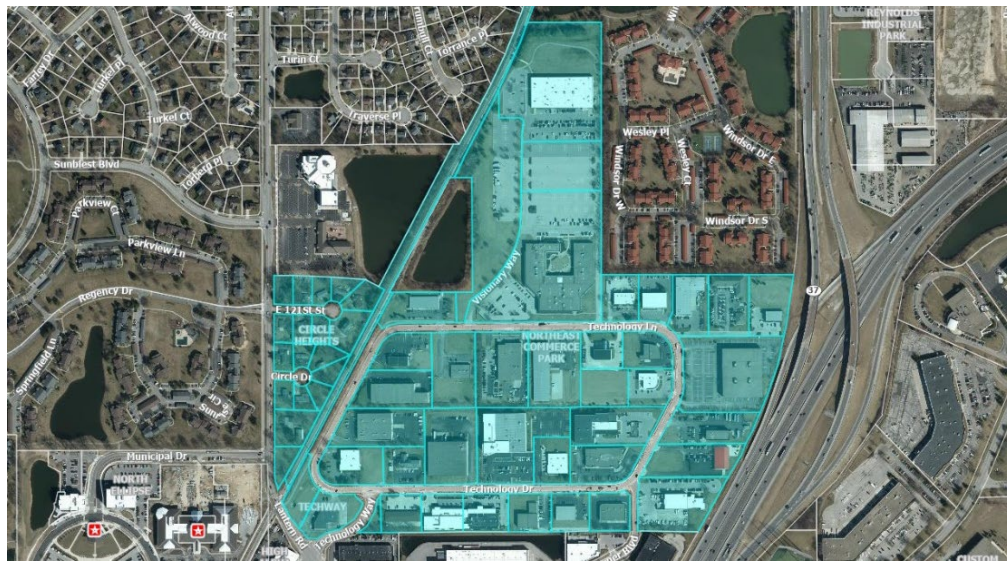
PROPOSED ZONING:

TC – Technology Center (new)
or DC – Downtown Core

FISHERS 2040:

Flex Employment Center / R+D,
or Neighborhood Mixed Use

Location Map



STAFF RECOMMENDATION

☒ Favorable Recommendation ☐ Unfavorable Recommendation ☐ No Recommendation

ZONING HISTORY:

The Nickel Plate District Code was first codified by City Council in 2014 and has been updated regularly. The Nickel Plate District Code is our guiding land use document for downtown. Currently the Nickel Plate District has four different zoning districts:

DC – Downtown Core is the most urban feel and provides our main street retail shops and restaurants. Recent additions to the DC – Downtown Core includes First Internet Bank and the future Hotel Nickel Plate.

MC – Municipal Center's primary function is civic uses. Fire State 91, Hamilton East Public Library and the future City Hall and Arts Center are examples of typical uses within the Municipal Center.

HC – Highway Center is our gateway along I-69 and serves the community at large with essential goods, hospitality, and services, including Target.

VC – Village Center is our population core and wraps the Municipal and Highway Centers, South Village at Nickel Plate, Pullman Pointe and Southpointe Village are examples of recent reinvestments, all offering a variety of housing options.

With this text amendment the City of Fishers would like to expand the Nickel Plate District to incorporate the [Northeast Commerce Park Planned Unit Development \(PUD\)](#) which was last seen before the Advisory Plan Commission on May 9, 2018 when the PUD document was updated in response to the increase demand for reinvestment in this technology park. This new zoning district would be called TC – Technology Center.

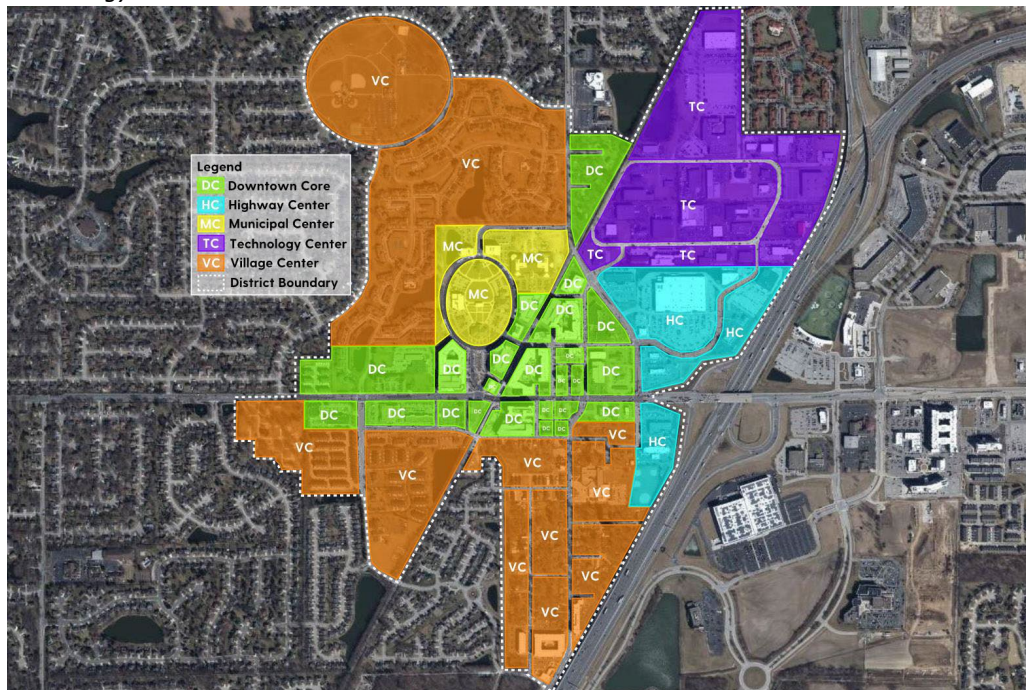
The Technology Park is certified with the State of Indiana and is home to multiple business headquarters including LaunchFishers, IoT Lab, Bangs Laboratory, Cage Campus, Hamilton County Community Foundation, and is the future home of Fairway Home Mortgage.

Other Key updates include new Development Standards in Section 1.3 for the Technology Center, a new building type called Technology Building, the rezone of the properties along Lantern Road, E 121st Street and Circle Drive to DC – Downtown Core, and the addition of five streetscape options.

The new building type called Technology Building is defined as an industrial flex-type structure used for high-tech manufacturing and production, Research and Development, innovation, entrepreneurship, office, and co-working.



The dotted line is the proposed new Nickel Plate District Boundary and the area in white is the Northeast Commence Park that is proposed to be added to the Nickel Plate District with the new Zoning District, TC – Technology Center.



The dotted line is the proposed new Nickel Plate District Boundary with the proposed new Zoning District, TC – Technology Center, the rezoned VC – Village Center to DC – Downtown Core, and the existing zoning districts.

SUMMARY OF PUBLIC COMMENTS:

This text amendment was heard as a First Reading at City Council on April 17, 2023 and it was heard at the Nickel Plate Review Committee April 27, 2023 meeting as an Item of Information.

Staff held a virtual Northeast Commerce Park Town Hall on May 16, 2023 at 12:30 PM inviting all business owners and property owners within the Northeast Commerce Park via mail. It was attended by approximately 10 people and there were no general questions during the call.

No public comments have been submitted at this time of writing this staff report.

PETITION OVERVIEW:

Below is a summary of the revisions we are proposing with this text amendment.

- Zone Regulations updated to include the new TC – Technology Center, map updated to reflect the rezone of the TC - Technology Center and the DC – Downtown Core
- Updated imagery to reflect recent development
- Reorganization references to right-of-way requirements to Section 7 Streetscape
- Pre-cast concrete panels and architectural CMU products added as primary building material allowed by right in the TC – Technology Center
- Architectural Metal Panels added as an accent material by right in the TC – Technology Center
- Standards on allowing loading bays and mechanical equipment locations within the TC – Technology Center
- Updates to the Landscape, Parking, Lighting, Signage to include the TC – Technology Center
- Streetscape Option 1, 2, 3, 4, & 5 added to better reflect our built environment
- *Section 9 Master Plan* to be relocated and renamed as *Section 11 – Reference Master Plan*
- *Section 10 Definitions* to be relocated and renamed as *Section 9 – Definitions*
- *Section 11 Design Standards* to be relocated and renamed as *Section 10 – Reference Design Standards*

All existing uses would continue to be allowed. Any uses that are nonconforming would be subject to the following under the [Unified Development Ordinance Article 2.3](#):

A legal nonconforming building or structure may continue if it remains the same or fits within the below described tolerances:

- 1. Any legal nonconforming building or structure shall not be enlarged or altered in a manner that the enlargement or alteration increases its nonconformity, but the building or structure, or portion thereof, may be altered to maintain or decrease its nonconformity.*
- 2. Any legal nonconforming building or structure which is damaged or destroyed by more than 50% of its fair market value shall thereafter conform to the regulations of the zoning district in which it is located.*

If a building or structure is moved for any reason, at any distance, it shall thereafter conform to the provisions of the UDO.

The [Comprehensive Plan](#) for the Northeast Commerce Park calls for the area to develop as flex employment center and research and development. The Comprehensive Plan for the properties along Lantern Road calls for Neighborhood Mixed Use which allows smaller scale mixed use developments.

STAFF RECOMMENDATION:

When making their decision, Plan Commission shall be reasonable regard to:

1. The Comprehensive Plan;
2. Current conditions and the character of structures and uses in each zoning district;
3. The most desirable use for which the land in each zoning district is adapted;
4. The conservation of property values throughout the jurisdiction; and
5. Responsible development and growth.

Staff recommends Plan Commission send a **favorable recommendation** to City Council. This item is anticipated to go to City Council on June 19, 2023, for final reading.

STAFF RECOMMENDATION

☒ Favorable Recommendation ☐ Unfavorable Recommendation ☐ No Recommendation

ORDINANCE NO. 041723D

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FISHERS, INDIANA, HAMILTON COUNTY, INDIANA.

This is an ordinance to amend the text of the Nickel Plate District Code, Ordinance No. 11813A, (“Nickel Plate Code”), as amended, previously enacted by the City of Fishers, Hamilton County Indiana (“City”) pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, The City of Fishers (the “Petitioner”) seeks to amend the Standards of the Nickel Plate Code, as further specified herein (“Attachment”);

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. TA-22-36 as required by law in regard to the Text Amendment; and

WHEREAS, the Plan Commission, at its meeting on the 7th day of June, 2023 sent a ____ recommendation to the Common Council by a vote of _ in favor and _ opposed.

NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, THE SUCESSOR IN INTEREST TO THE TOWN OF FISHERS, PURSANT TO IND. CODE 36-4-1 ET. SEQ., THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCES – 2018, ORDINANCE NO. 071618F, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

Section 1. AMENDMENT. This Text Amendment amends certain sections of the Nickel Plate District Code, including the additional of a new zoning district, entitled Technology Center (TC).

Section 2. PURPOSE STATEMENT. The purpose of this ordinance is to refine certain regulator language in the Nickel Plate District Code, furtherance of the overall development to create the downtown envisioned by the Downtown 2030 Master Plan through a form-based code found within the regulator parts of Sections 1 to 8 and the conceptual master plan of Section 9.

Section 3. Changes to the Nickel Plate District Code. The following sections of the Nickel Plate District Code shall be changed, as follows:

1. Section 1 – Zone Regulations

- a. Figure 1.1. Nickel Pate District Zone map updated to include new Technology Center (TC) zoning district, updated the Zone of the area east of Lantern and west of the Nickel Plate Trail as Downtown Core (DC) and updated colors to coincide with Map Fishers
- b. Section 1.2: Zone Map. ~~“The Master Plan, Figure 9.4, depicts the desired conceptual layout for the Nickel Plate District. The Zoning Districts shown in Figure 1.1. dictate the desired building form, massing, and uses via the Building Type Zone Regulations.~~ The overall Nickel Plate

District has been divided into ~~four~~ **five** sub districts, which will be referred to as Zones in this code.”

- c. Figure 1.2. Zone Descriptions updated to include new Technology Center (TC) zoning district descriptions. ***“TC: Technology Center. The Technology Center is the innovation and collaboration center of the district. This area provides a mix of employment uses that includes office, research, and development (R&D) and components of light or flex-industrial uses. R&D includes basic and applied research, application of such knowledge to the production process, research facilities, clean manufacturing, and support services in a coordinated and high quality, aesthetic environment and incubator facilities for start-ups and growing tech/research companies. Campus settings with coordinated buildings and pedestrian environments are strongly encouraged. Employment intensive uses which allow existing buildings to be converted to high tech office and makers space are also encouraged”.***
- d. Figure 1.2. Images updated to reflect recent development
- e. Figure 1.3. Development Standards updated to include new Technology Center (TC) zoning district Setbacks, Structural Height, Lot Coverage, Structure Size, and supplemental regulations standards
- f. Figure 1.4. Building Types updated to include new Technology Center (TC) zoning district and new Technology Building (TB) Building Type. Technology Center (TC) allows for MU – Mixed Use, IC – Infill Commercial, MF – Multifamily, CV – Civic, TB – Technology Building
- g. Figure 1.4. Type-Specific Standards images updated to reflect recent development
- h. Section 1.3. Right-of-Way relocated to Streetscape Chapter 7.1 Intent
- i. Figure 1.5. Required Street Right-of-Way is now Figure 7.1
- j. Section 1.4. is now Section 1.3 First Floor Commercial
- k. Figure 1.6 Required First Floor Commercial Space is now Figure 1.5
- l. Section 1.5. Building Frontages is now Section 1.4
- m. Figure 1.7. Frontage Plan is now Figure 1.6
- n. Figure 1.8 Frontage Types is now Figure 1.7

2. Section 2 - Architectural Regulations

- a. Section 2.2.1. “All structures shall be oriented to meet the intent of the ~~the conceptual Master Plan, Figure 9.4~~ **applicable zoning district.**”
- b. Section 2.3.6 Added, which states that pre-cast concrete panels and architectural CMU products may be used as the primary building material only in the Technology Center (TC) zoning district
- c. Section 2.3.7 Added, which states that architectural metal panels are permitted as an accent material in the Technical Center (TC) zoning district

- d. Section 2.5.4 Added, which states loading bays, including garage doors and service areas are allowed in the Technology Center (TC) zoning district and must be approved by the Review Committee, images are included
- e. Section 2.8.3 updated to state that Mechanical Equipment may be located in a front, side, or rear yard if the Technology Center (TC) zoning district when surrounded by a masonry wall of material of similar architectural to the primary structure, images are included

3. Section 3 - Landscaping Regulations

- a. Section 3.3. Tree Lawn / Street Trees relocated to Streetscape Chapter, Sec. 7.2.2
- b. Section 3.4 Foundation & Lot Plantings, is now Section 3.3
- c. Section 3.4.4 Technology Center (TC) zoning district added
- d. Section 3.5 Parking Lot Plantings, is now Section 3.4
- e. Section 3.4.2. Technology Center (TC) zoning district added
- f. Section 3.7 Buffering, is now Section 3.6
- g. Figure 3.1 Required Buffers, Technology Center (TC) zoning district added which states they are required a Buffer Yard Type for adjoining properties
- h. Section 3.8 Street Furnishing relocated to Section 7.2.4

4. Section 4 - Parking Regulations

- a. Section 4.2.7.6. Updated to say parking lots may be located outside of the rear yard
- b. Figure 4.1 Required Parking Ratios, Technology Center (TC) added
- c. Figure 4.2. Shared Parking Factor, Technology Center (TC) added

5. Section 5 - Lighting Regulations

- a. Section 5.4. Light Level Maximum by Zones renamed Light Design Requirements
- b. Section 5.4.1, 5.4.2, 5.4.3, and 5.4.4 removed and replaced with 5.4.1 and 5.4.2 which provides lighting regulations that align with the City's Unified Development Ordinance (UDO) lighting regulations

6. Section 6 - Signage Regulations

- a. Figure 6.1, Technology Park (TC) zoning district added
- b. Section 6.7.9. Wall Sign. correct language to include "linear foot" before frontage.

7. Section 7 – Streetscape

- a. Section 7.1 Updated text including petitioner's responsibility
- b. Figure 7.1 renamed Required Street Right-of-Way from Street Typology Plan
- c. Section 7.2 Updated with relocated Streetscape, Street Trees, Lighting and Street Furnishings from other Sections.
- d. Section 7.3 Streetscape Option 1, 2, 3, 4 & 5 added

8. Section 8 – Administration

- a. Section 8.2.9.e. “Material and color usage that is similar, but not necessarily identical, to neighboring projects ~~as proposed in the Master Plan.~~”
 - b. Section 8.2.10.4.b. “Will not conflict with the ~~Conceptual Master Plan applicable zoning district.~~”
 - c. Section 8.2.10.5.p Added, which provides a minor waiver option for relocation of required landscaping in the Technology Center (TC) zoning district to maximum the appearance of the building along the street
 - d. Section 8.4.3 Prohibited Uses Updated to include the prohibition of auto rental, repair, and storage
 - e. Figure 8.1 Subdivision Standards, Technology Center (TC) added
9. **Section 9 – Master Plan**
- a. To be relocated and renamed as **Section 11 – Reference Master Plan**
10. **Section 10 Definitions**
- a. To be relocated and renamed as **Section 9 – Definition**
11. **Section 11 Design Standards**
- a. to be relocated and renamed as **Section 10 – Reference Design Standards**

UNLESS SPECIFICALLY AMENDED BY REFERENCE HEREIN, ALL REMAINING TERMS AND CONDITIONS OF THE NICKEL PLATE DISTRICT CODE AND UNIFIED DEVELOPMENT ORDINANCE SHALL CONTINUE IN FULL FORCE AND EFFECT AND ARE HEREBY RATIFIED AND AFFIRMED.

SO ORDAINED by the Common Council of The City of Fishers, Hamilton County, Indiana this 19th day of June 2023.

[Signature Page to Follow]

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

YAY

NAY

ABSTAIN

	Todd Zimmerman, President		
	John Weingardt, Vice President		
	C. Pete Peterson, Member		
	Cecilia C. Coble, Member		
	Brad DeReamer, Member		
	Selina Stoller, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		
	David Giffel, Member		

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the ____ day of _____ 2023, at _____ p.m.

ATTEST: _____

Jennifer L. Kehl, Fishers City Clerk

MAYOR'S APPROVAL



Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Lindsey Bennett, 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." Lindsey Bennett, City Attorney



SECTION 1 - ZONE REGULATIONS

1.1: Intent

The Nickel Plate District Code provides strict design requirements but the Code intends to provide flexibility to allow for flexible design and to accommodate adequate parking as the district redevelops.

- A traditional “main-street” walkable and vibrant downtown feel with pedestrian-scaled storefront building designs. (Ord. 110514C)
- Retail on ground floor with living, retail, or office on upper floors.
- Two to four story buildings adjacent to the street.
- No large surface parking lots are allowed in the DC or VC Neighborhoods. Temporary surface lots are allowed as a mechanism to provide parking before a parking structure is available.
- Limited parking in rear of structures for deliveries and trash enclosures to be serviced off of existing alleys.
- Promote designs that show durability and permanence through the use of brick and masonry.
- Allow flexibility in design for buildings that will be adjacent or nearly adjacent.
- When a façade is longer than 150 feet, it should look like two or more buildings to maintain small downtown atmosphere.

1.2: Zone Map

The Master Plan, Figure 9.4, depicts the desired conceptual layout for the Nickel Plate District. Based on this concept, the overall Nickel Plate District has been divided into four sub districts, which will be referred to as Zones in this Code. As with a traditional zoning ordinance, these Zones each have specific development standards, which are outlined in this Code. (Ord. 071816C)

Figure 1.1: Nickel Plate District Zones

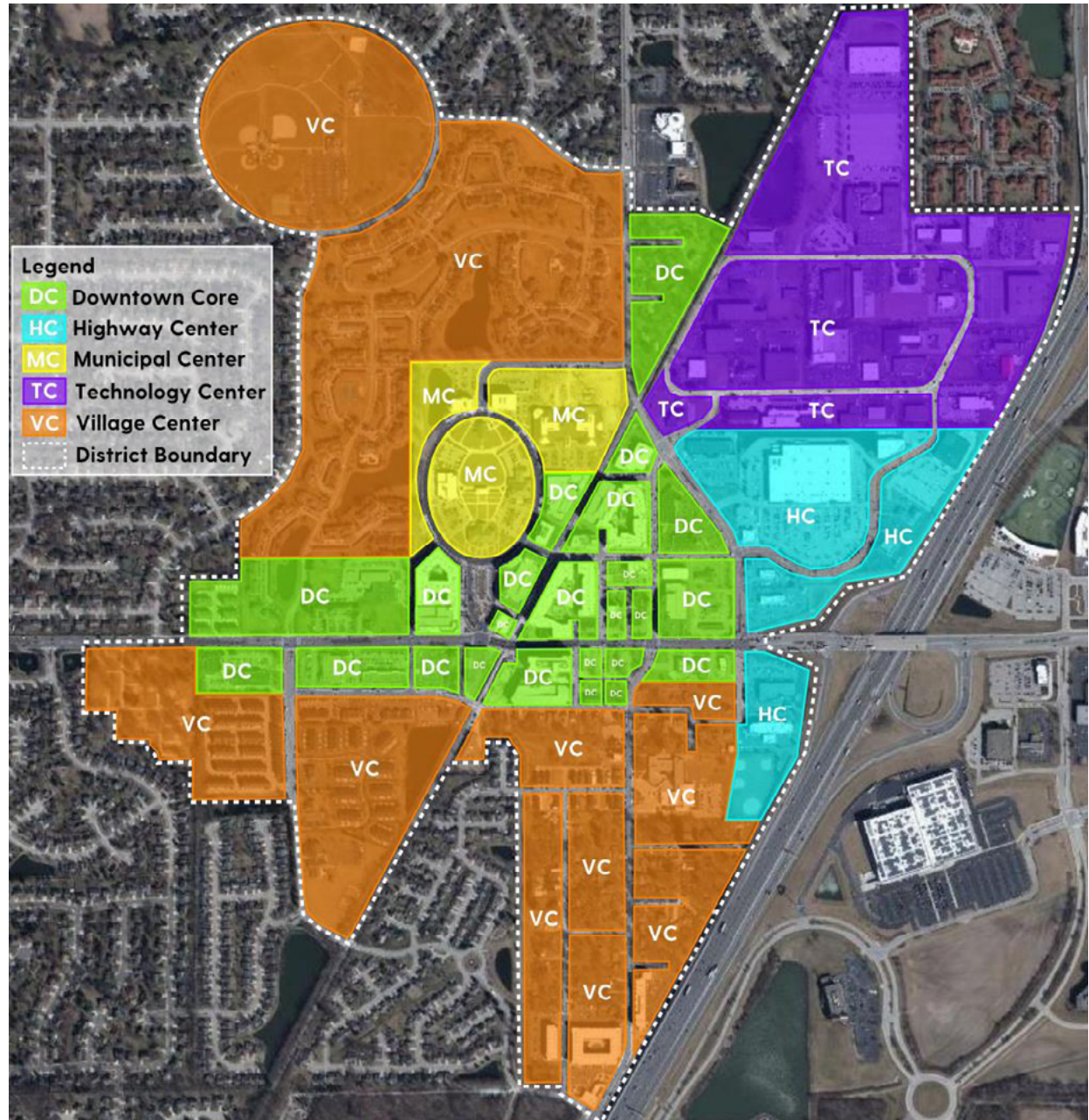


Figure 1.2: Zone Descriptions

DC	Downtown Core	
	The Downtown Core is where people can live, work, shop, dine and play. It is a destination for residents and visitors alike due to its mixture of uses that provide a vibrant, unique atmosphere. The Downtown Core is the most 'urban' of the Zones and provides the majority of 'main street' retail shops and restaurants. In addition, multifamily residential offers the downtown living experience within vertically mixed buildings. The Downtown Core will contain several building types supporting a diversity of scale and use throughout the core. This diversity sets the framework for a character of small shops, restaurants and tree-shaded sidewalks.	
MC	Municipal Center	
	The Municipal Center brings vibrancy into the District through activities, events and services. Primary civic functions are located within this Zone including municipal government, police, fire, library, court, and similar uses. Large open spaces create a stately setting for the overall complex and provide locations for large community events such as; movies on the lawn, outdoor concert series, farmers' market and festivals/fairs. A higher percentage of open space is to be maintained with the Zone to allow for these activities to continue and differentiate the Municipal Center from all other Zones.	
HC	Highway Center	
	With primary frontage along Interstate 69, the Highway Center serves the residents and community at-large with essential goods and services through large retailers and restaurants. Serving as the gateway to Fishers for many residents and visitors, enhancements on traditional site planning techniques are encouraged to have buildings front the streets and continue the character of the Downtown Core. Building types and uses are limited in the Highway Center so this Zone can remain a commercial destination for the community. This Zone prohibits residential uses as they are incompatible with the large footprint, single user buildings prevalent in this Zone. Infill commercial is encouraged along existing streets to provide a greater streetscape experience for both pedestrians and drivers.	
VC	Village Center	
	The Village Center is the population center to support downtown. Connectivity to the Downtown Core is critical for pedestrians, cyclists and vehicles. This connectivity is to be achieved through pedestrian activity on a network of trails and sidewalks. Civic functions such as schools, community centers, and churches are possible uses to help enrich the overall character and experience. To maximize the resident population surrounding downtown, the Village Center will consist of residential building types including multifamily developments, townhouses, and single family dwellings. These building types provide a character of a tightly knit community that is 'in town', with buildings pulled close to primary streets while creating frontages that promote interaction of neighbors.	
TC	Technology Center	
	The Technology Center is the innovation and collaboration center of the district. This area provides a mix of employment uses that includes office, research, and development (R&D) and components of light or flex-industrial uses. R&D includes basic and applied research, application of such knowledge to the production process, research facilities, clean manufacturing, and support services in a coordinated and high quality, aesthetic environment and incubator facilities for start-ups and growing tech/research companies. Campus settings with coordinated buildings and pedestrian environments are strongly encouraged. Employment intensive uses which allow existing buildings to be converted to high tech office and makers space are also encouraged.	

Zone Regulations

Figure 1.3: Development Standards (Ord. 011717D)

	DC: Downtown Core	MC: Municipal Center	HC: Highway Center	VC: Village Center	TC: Technology Center
Setbacks: See Figure 1.5 and Section 7 of this Code for right-of-way information.					
Front (Min./Max.):	0 feet/5 feet	0 feet/none	10 feet/130 feet	2 feet/10 feet	10 feet/None
Side (Min./Max.):	0 feet/10 feet	0 feet/none	10 feet/30 feet	0 feet/15 feet	5 feet/None
Rear (Min./Max.):	0 feet/30 feet	0 feet/none	10 feet/none	5 feet/none	10 feet/None
Building Separation (Min.):	0 feet or 10 feet	0 feet	15 feet	0 feet or 10 feet	10 feet
Structure Height:					
Primary Minimum:	2 stories/26 feet	2 stories/26 feet	1 story/14 feet	1 story/16 feet	None
Primary Maximum:	4 stories/60 feet	4 stories/60 feet	4 stories/60 feet	3 stories/42 feet	4 stories/60 feet
Accessory Minimum:	Not Permitted	Not Permitted	Not Permitted	N/A	None
Accessory Maximum:	Not Permitted	Not Permitted	Not Permitted	15 feet / 600 SF	35 feet
Lot Coverage: All impervious surface is included in this calculation.					
Maximum:	100%	90%	90%	90%	90%
Structure Size:					
Min. Residential Unit Area:	700 SF	700 SF	Not Permitted	700 SF	N/A
Max. Residential Unit Area:	3,000 SF	3,000 SF	Not Permitted	None	N/A
Min. Commercial Ground Floor Area:	100% of frontage (sites 0-2 ac.) 50% of frontage (sites 2+ ac.)	0% of building footprint	80% of building footprint	0% of building footprint	N/A
Max. Commercial Ground Floor Area:	100% of building footprint	100% of building footprint	100% of building footprint	75% of lot	N/A
Supplemental Regulations:					
Primary Uses per Lot (Max.):	Multiple	Multiple	Multiple, under single ownership	Two, under single ownership	Multiple
Drive Up Window/Drive Thru:	Not Permitted	Not Permitted	Permitted	Not Permitted	Not Permitted
Communications Facilities:	Not Permitted	Permitted	Not Permitted	Not Permitted	Permitted
Outdoor Dining:	Permitted	Permitted	Permitted	Not Permitted	Permitted
Satellite Dishes (24 in. Max.):	Permitted; not visible from street.	Permitted; not visible from street	Permitted; not visible from street	Permitted; not on front facade	Permitted, not visible from street
Kiosk or Vending Machine:	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted
Parking as Primary Use	Not Permitted	Not Permitted	Not Permitted	Not Permitted	Not Permitted (unless provides shared parking for multiple users)

*Staff may require buildings with corner frontages to notch the corner to ensure a clear vision triangle for vehicles, pedestrians, and bikes

*Accessory uses shall be located behind the primary structure

*Setbacks are measured from the structure face, not necessarily from the foundation edge

*Single-family and Live/Work structures may utilize up to a maximum 20 foot front yard setback in the Village Center

See Administration for waivers
(Ord. 071816C)

Figure 1.4: Building Types (Ord. 011717D)

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Tech. Center
MU Mixed Use ¹ : A structure that combines commercial, office, and/or retail space with residential units. Typically, the ground floor would be occupied by a non-residential use while the upper floors would be occupied by a residential use. Parking is provided in rear of buildings, in common parking garages or surface lots.	●	●	●	●	●
IC Infill Commercial: A primarily commercial type in the form of individual buildings and with a street level designated as a storefront available for flex use as a retail store or office. All floors are available for flex use as office or retail. Parking is provided in rear or in a parking garage.	●	●	●		●
HW Highway Commercial: A commercial type in the form of individual buildings designated as a storefront available for flex use as a retail store or office. Parking is generally provided in rear or side of buildings in surface lots.			●		
LC Large Commercial: A commercial type in the form of large individual buildings designated as available for a retail store. Parking is generally provided in front of buildings in surface lots.			●		
LD Lodging: A hospitality use in the form of one or more multi-story buildings designated as available for lodging with limited ground floor flex use as retail. Parking is generally provided in surface lot or common parking garage.	●		●		
LW Live/Work ² : A single-family housing type combining a dwelling with a ground floor storefront available for flex use as a retail store or office. Access is provided to all units directly from the street. Parking is provided on street, in a garage, or in a small rear yard lot.				●	
OF Small Office ² : A small business that draws limited customer traffic designed to resemble residential development. This includes but is not limited to, insurance offices, real estate agents, attorneys, etc. Parking is to be provided on-street or by rear-loaded alley.				●	
MF Multifamily ¹ : A multifamily housing type with stacked residential units in a single structure. Multifamily units are generally accessible by a common lobby, elevator and interior corridor. Parking is generally provided in mid-block parking garage or surface lot.	●			●	●
TH Townhome: A single-family attached housing type typically located with a porch or stoop. Parking is typically provided in a garage off of an alley.	●			●	
SF Single Family Detached: A single family detached is a dwelling for one family on a single lot. Parking is typically provided in a private drive or garage and is accessible by the primary street or an alley.				●	
CV Civic/Institutional: A municipal type in the form of large individual buildings and generally accessible directly from the street with all floors serving as flex use as office and service. Parking is generally provided in surface lots or common parking garage.	●	●	●	●	●
RC Residential Conversion ³ : Properties that were built as residential dwellings but have been converted for commercial, retail, or office use with no residents in the property. For a residential conversion to take place, the structure must comply with all current zoning standards.				●	
TB Technology Building. Office and industrial flex-type structures used for high-tech manufacturing and production, research and development, innovation, entrepreneurship, office, and co-working. Parking is generally provided on the side and rear of buildings.					●

1: Prohibited south of Morgan Drive, except east of Lantern Road.

2: Prohibited south of Morgan Drive, except properties adjacent to the west side of Lantern Road.

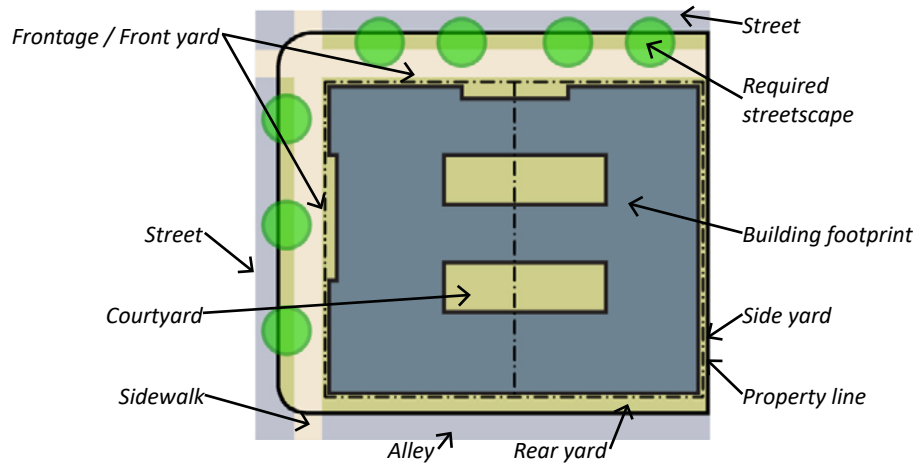
3: Prohibited south of Morgan Drive.

All non-residential structures must be a minimum of two stories in height.

● =Permitted

Zone Regulations

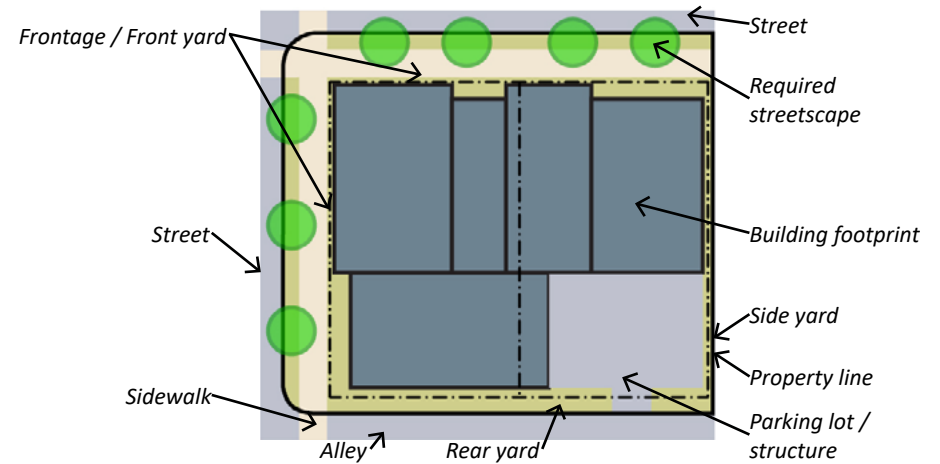
MU: Mixed Use



Type-Specific Standards

Required Features	Desired Features
Transparent first floor per Section 2	Outdoor dining
Shared garage parking	Projecting and pedestrian signage
	Common entry for residents
	Multiple facade styles
	Upper floor balconies and awnings

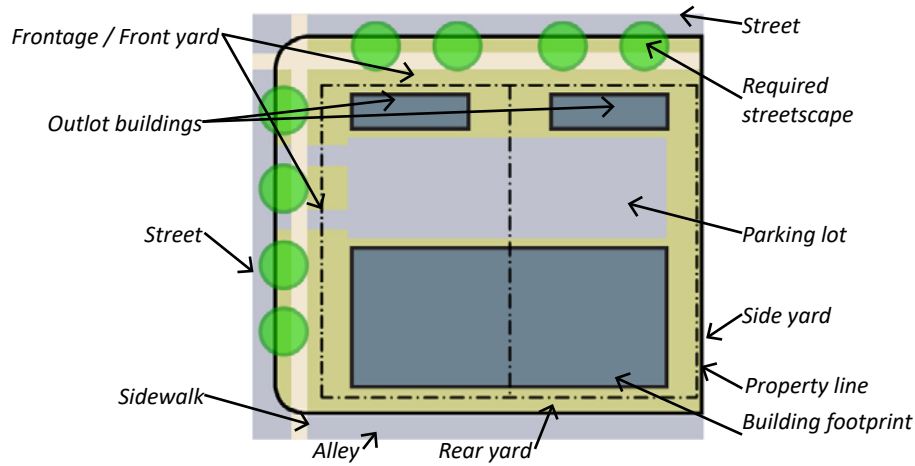
IC: Infill Commercial



Type-Specific Standards

Required Features	Desired Features
Transparent first floor per Section 2	Outdoor dining
Shared garage parking	Projecting and pedestrian signage
	Multiple facade styles

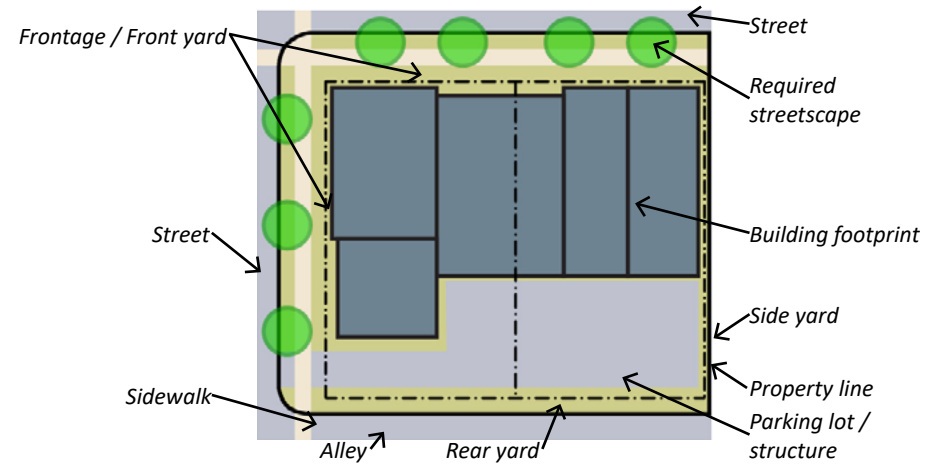
HW: Highway Commercial



Type-Specific Standards

Required Features	Desired Features
Shared signage	Monument signage
Transparent front facade per Section 2	Shared parking

LC: Large Commercial

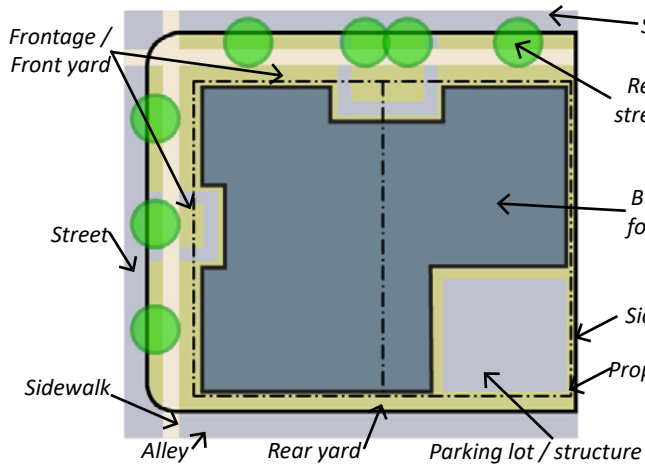


Type-Specific Standards

Required Features	Desired Features
Transparent first floor per Section 2	Outdoor dining
Shared parking	Pedestrian and wall signage
	Multiple facade styles

Zone Regulations

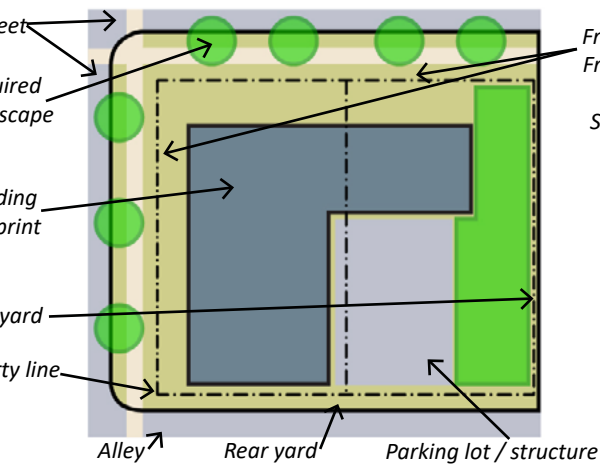
LD: Lodging



Type-Specific Standards

Required Features	Desired Features
Monument, wall and projecting signage	Shared garage parking
Shared parking	Blade signage
	Conference areas
	Outdoor dining

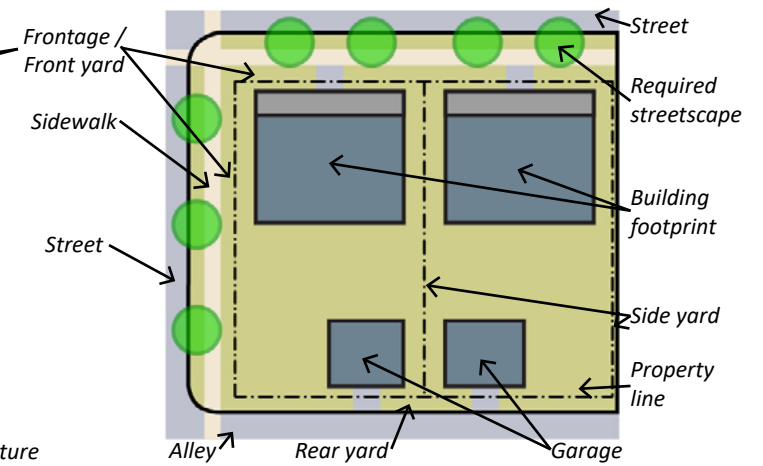
CV: Civic



Type-Specific Standards

Required Features	Desired Features
Shared parking	Shared garage parking
	Wayfinding signage
	Institutional design

LW: Live/Work + RC: Residential Conversion

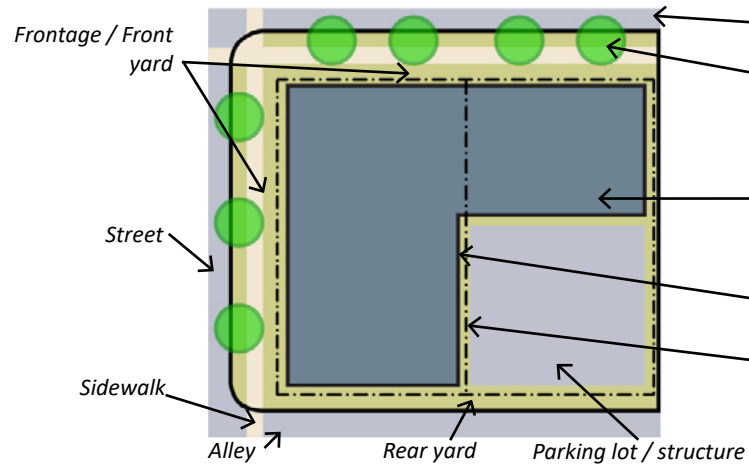


Type-Specific Standards

Required Features	Desired Features
Small signage	Storefront windows
Street parking	Shared and on-street parking
Residential appearance	
Two stories in height (min.)	

Ord. 011717D

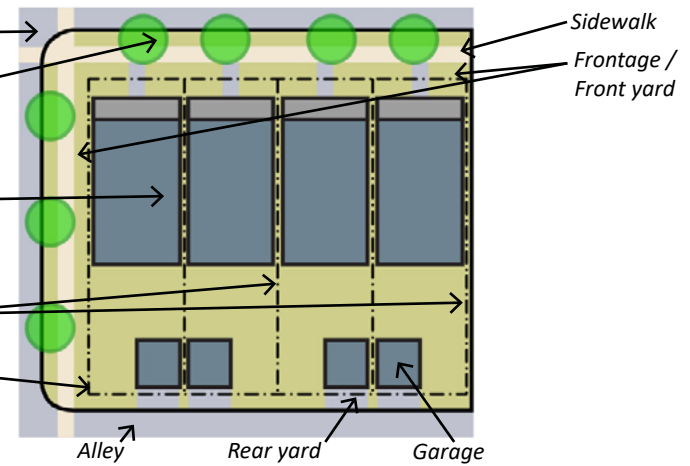
MF: Multi Family



Type-Specific Standards

Required Features	Desired Features
Monument signage	Shared garage parking
Shared parking	Balconies

TH: Townhome

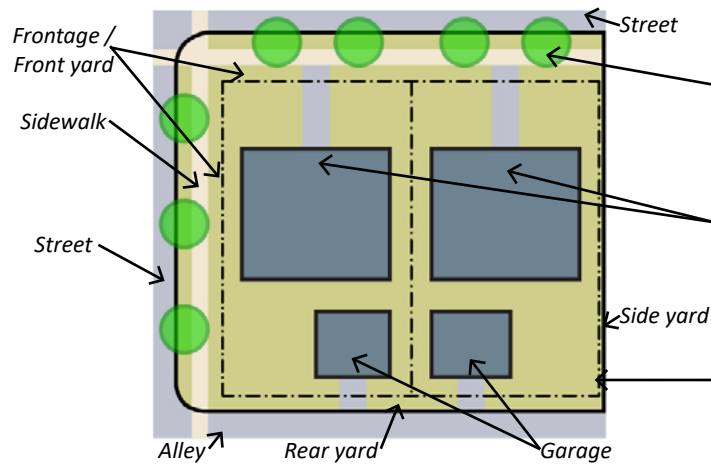


Type-Specific Standards

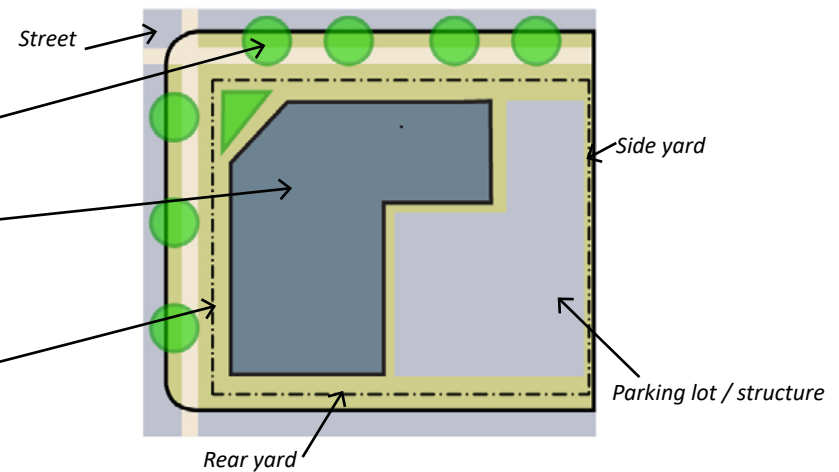
Required Features	Desired Features
Varying facades	Stoops
On-street parking	Rear garage
	Rear patios

Zone Regulations

SF: Single Family



TB: Technology Building



Type-Specific Standards

Required Features	Desired Features
Street parking	Front porches
	Rear garage

Type-Specific Standards

Required Features	Desired Features
Enhanced entry architectural features	Shared parking lots
Transparent elements for office and visitor areas	Parking areas oriented to the side and rear
Pedestrian connection to Nickel Plate Trail (if directly adjacent)	Primary facade oriented towards Nickel Plate Trail and enhanced bicycle and pedestrian features
	Complementary massing of structures

1.3: First Floor Commercial

The highlighted area in Figure 1.6 illustrates where structures are required to have first floor commercial space. This requirement pertains to the entire face of the building. The first floor shall be designed to resemble a retail storefront in these designated areas. Should it not be feasible to justify the entire building frontage be commercial at the time of construction, the Nickel Plate Review Committee may approve flex space on the first floor for non-commercial use so long as it is designed to be converted into commercial space and occupies no more than 40 percent of the required commercial space. See Administration for waivers.

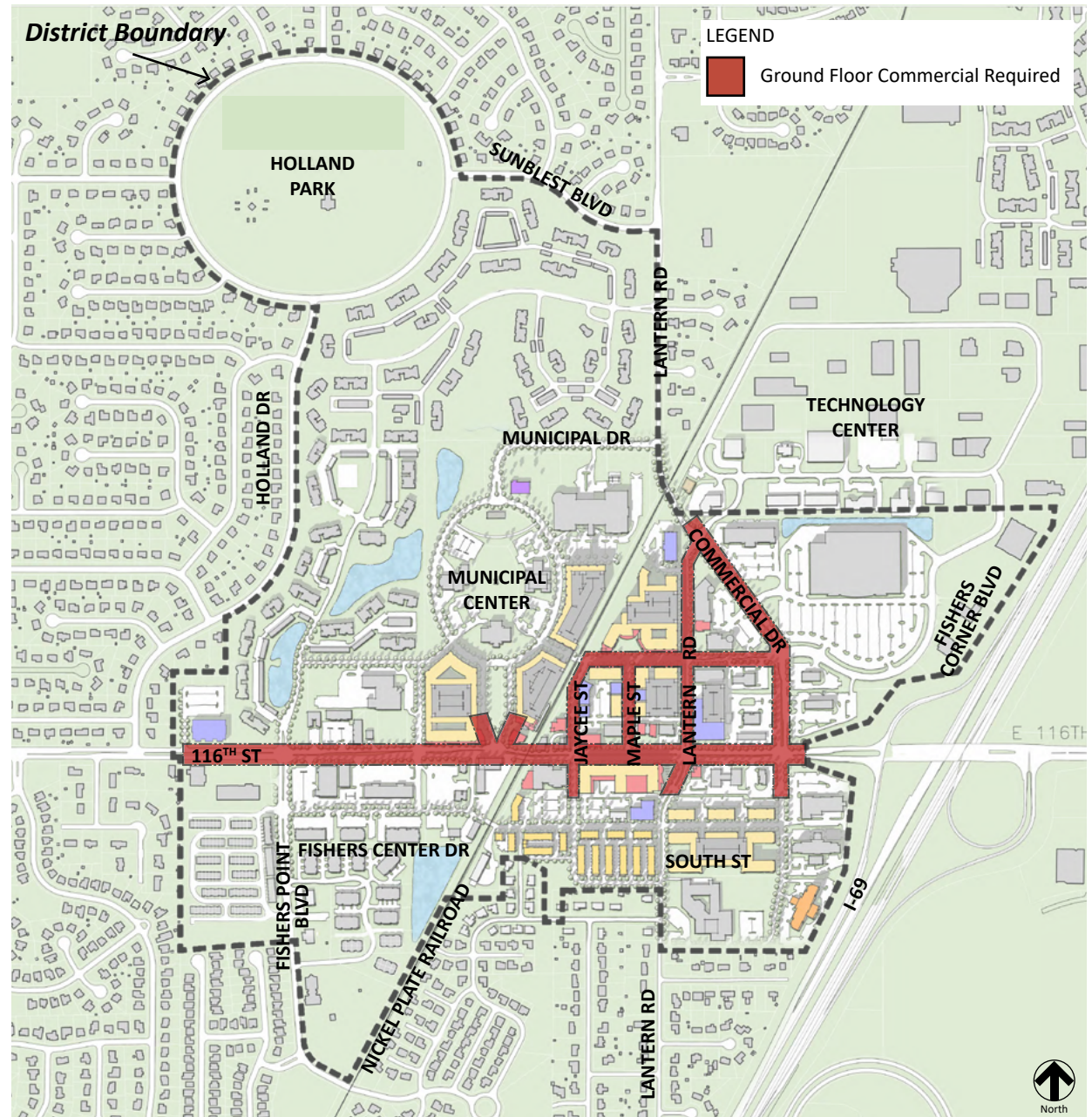
The individual street segments that require first floor commercial space are outlined in red in Figure 1.6. The affected streets are:

1. 116th Street
2. Commercial Drive
3. Lantern Road
4. Maple Street
5. Fishers Corner Boulevard
6. Municipal Drive
7. Jaycee Street

Permitted ground floor commercial uses include:

1. Retail
2. Restaurant
3. Personal Service
4. Office (Office, Business/Financial Services, Office, General Services, Professional) (Ord. 0091817)
5. Grocery/Deli/Specialty Food Store

Figure 1.5: Required First Floor Commercial Space



1.4: Building Frontages

The Frontage Plan, Figure 1.7, denotes what the required building frontages are for each street. This plan matches with Figure 1.8, Frontage Types, on the following page. On streets with no defined frontage, the frontage shall be appropriate to the building style as well as the other frontages on existing buildings. The Nickel Plate Review Committee shall have the authority to allow a petitioner to utilize one frontage type when their structure spans two or more frontage types. (Ord. 071816C)

Figure 1.6: Frontage Plan

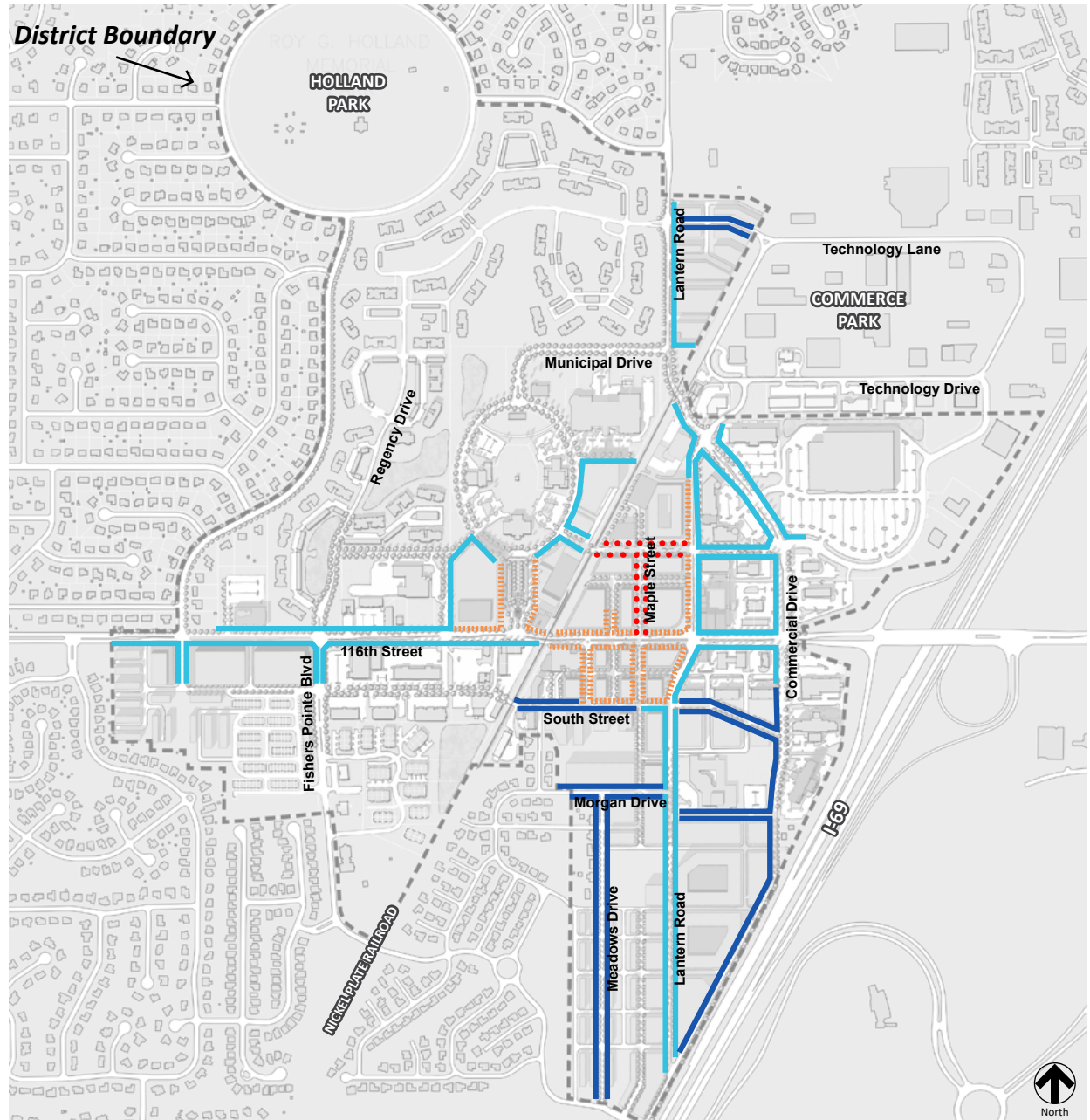
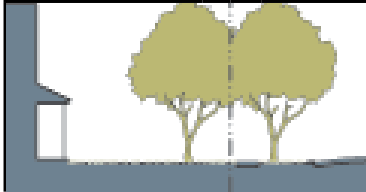
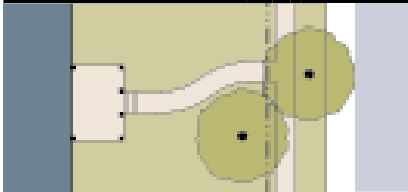
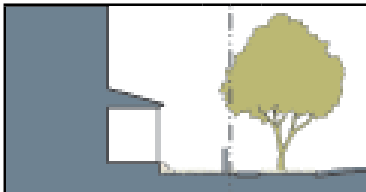
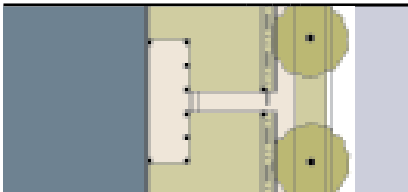
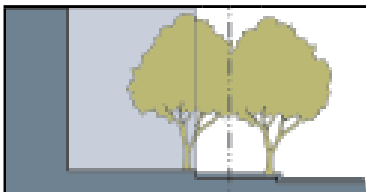
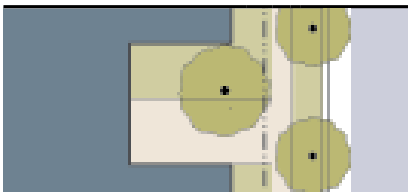
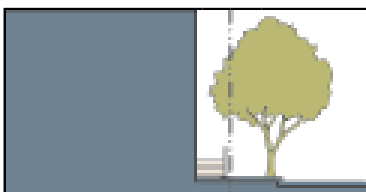
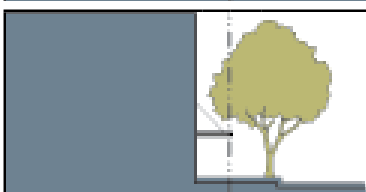
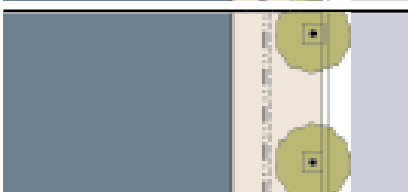
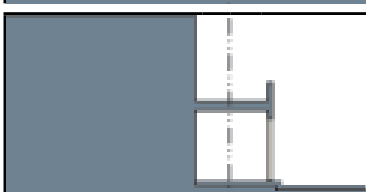
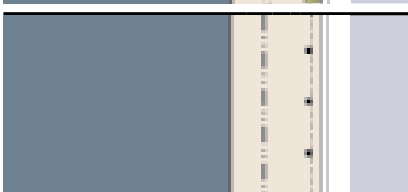


Figure 1.7: Frontage Types

	SECTION	PLAN
	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE	LOT PRIVATE FRONTAGE R.O.W. PUBLIC FRONTAGE
a. Common Yard: a planted frontage wherein the facade is set back substantially from the frontage line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep setback provides a buffer from the higher speed thoroughfares.		
b. Porch & Fence: a planted frontage wherein the facade is set back from the frontage line with an attached porch permitted to encroach. A fence at the frontage line maintains street spatial definition. Porches shall be no less than eight feet deep.		
d. Forecourt: a frontage wherein a portion of the facade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other frontage types. Large trees within the forecourts may overhang the sidewalks.		
e. Stoop: a frontage wherein the facade is aligned close to the frontage line. The first story may be elevated from the sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for first-floor residential use.		
f. Shopfront: a frontage wherein the facade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for commercial use. It utilizes a substantial glazing on the sidewalk level and an awning that may overlap the sidewalk to within two feet of the curb.		
g. Gallery: a frontage wherein the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within two feet of the curb.		



SECTION 2 - ARCHITECTURE REGULATIONS

2.1: Intent

The architecture regulations of the Nickel Plate District Code are designed to create a compact, walkable streetscape with a main street, storefront appearance. Structures shall be designed using durable materials with clearly defined entrances. Services shall be located out of view from the street (excluding alleys) and structures should be serviced from the rear yard whenever possible. Parking is to be located in the rear, except in the Highway Center Zone.

2.2: General Requirements

Every structure shall be reviewed according to the process identified in Section 8 of this Code.

- 2.2.1: All structures shall be oriented to meet the intent of the conceptual Master Plan, Figure 9.4.
- 2.2.2: Submittal requirements:
 - 1. Architectural elevations of all facades shall be submitted with the Improvement Location Permit application. These elevations shall depict accessory structures, trash enclosures, mechanical areas, and all structures to be constructed under the Improvement Location Permit.
 - 2. Three-dimensional renderings / models of the proposed structure(s) shall be submitted for projects requiring review by the Nickel Plate Review Committee. Renderings / models shall include adjacent structure massing and street orientation.
- 2.2.3: Vertical projecting elements that are not occupied may be utilized, but shall not project more than 20 percent of the overall structure height (e.g. 40 foot cornice height on highest occupied portion of structure will allow for an eight foot projection, which may go above the maximum structure height). Such elements shall be of similar architecture to the primary structure.
- 2.2.4: Single family residential structures and live/work structures shall conform to the Single Family Residential architecture provisions of the Unified Development Ordinance, Section 5.012.
- 2.2.5: Ground floor commercial space is required for structures on designated streets, as depicted in Figure 1.6. Should it not be feasible to develop all of the commercial space at the time of initial construction, up to 40 percent of



the ground floor commercial area may be configured as residential flex space where the space is designed for commercial use but is temporarily used for residential units.

- 2.2.6: The following shall not be permitted: Panelized wall materials, window air conditioning units on a front facade, and exterior fluorescent lights with visible bulbs.
- 2.2.7: Structures, including two or more structures sharing a common wall thus creating a single facade, wider than 225 feet shall require a pedestrian passage through the longest side of the structure. See Administration for waivers.
- 2.2.8: Parking structures shall not be more than eight feet taller than the adjacent primary structure
- 2.2.9: Parking as a primary use shall include ground floor commercial along 80 percent of its frontage when in an area with required ground floor commercial space.
- 2.2.10: All structures in the TCR zone shall have architectural standards equivalent to the R4 zone. (Ord. 110514C)

2.3: Materials

- 2.3.1: Masonry products permitted are brick and stone. This includes the synthetic versions of these products. See Administration for waivers.

- 2.3.2: Other permitted exterior materials shall be fiber cement (or other simulated wood synthetic excluding vinyl siding) and stucco.
- 2.3.3: EFIS is permitted for the top floor of multi-story structures and accent areas only. EFIS shall not cover more than 15 percent of the exterior of the structure, excluding window and door openings.
- 2.3.4: Roofing materials permitted for residential development shall be architectural shingles or a flat roof. Commercial developments shall use standing seam metal or a flat roof.
- 2.3.5: Awnings shall be consistent with the structure's architectural style and be constructed of canvas.
- 2.3.6: Pre-cast concrete panels and architectural CMU products may be used as primary building materials only in the Technology Center Zone.
- 2.3.7: Architectural metal panels are permitted as an accent material in the Technology Center Zone.

2.4: Facade

- 2.4.1: Any structure façade facing a public right-of-way (except for alleys) shall be treated as a front facade.
- 2.4.2: A finished elevation (four-sided architecture) is required on every side of the structure. There shall be no blank facades and each side of a structure shall be architecturally similar to the other sides.
 - 1. Zero lot line structures: When using zero lot line construction, the adjoining wall shall be constructed of maintenance-free masonry and the adjoining facade is exempt from the four-sided architecture requirement provided:
 - a. A public art installation is permitted in lieu of the four-sided architecture requirement on one of the facades. This can include, but is not limited to, murals and sculptures. Nickel Plate Review Committee approval is needed to approve the use and location of the art.
 - b. Public art shall be approved by the Fishers Community Art Selection Committee.
 - c. If intended to be located on the zero lot line wall, art installations shall be designed to be removed and/or relocated at such time as the adjacent property is developed.
 - 2. Facades facing alleys: Rear facades that face alleys shall be constructed of masonry but are exempt from the requirement for four-sided architecture provided:
 - a. Public art installation is provided. (Art used to meet the requirements for Section 2.4.2.1.a. may not also be used to meet the masonry exemption.)
 - b. Public art shall be approved by the Fishers Community Art Selection Committee.
 - c. Installations may be on or off site in a location approved by the Nickel Plate Review Committee and the Fishers Community Art Selection Committee.
- 2.4.3: Structures shall have a defined base, middle, and top section that is broken along horizontal lines. The heavier (i.e. masonry) materials shall be used at the base. See Administration Section for waivers.
- 2.4.4: Parking garages shall be architecturally similar to the primary structure. The garage does not have to resemble a storefront, but shall retain the architectural elements and style of the primary structure. A green screen (see Landscape Section) may be used as an alternative solution.
- 2.4.5: All structures shall be at least 75 percent masonry on frontages facing public rights-of-way, excluding window and door openings. Other sides shall be at least 50 percent masonry. Single family homes may substitute fiber cement or wood siding in lieu of the masonry requirement.
- 2.4.6: Permitted projections from the structure's façade shall be balconies, awnings, signs, flags, and cornice elements.
- 2.4.7: Projections from the front of the structure shall be self-supporting and require no street level poles or supports. Gallery frontages are exempt provided the structure is self supporting in case right-of-way maintenance is required.
- 2.4.8: Balconies shall be a minimum of three feet deep.
- 2.4.9: Windows shall have decorative headers of stone or other masonry.

- 2.4.10: The structure itself may not project over a sidewalk or other public right-of-way.
- 2.4.11: The ground floor of structures requiring first floor commercial shall be transparent storefronts consisting of a minimum of 60 percent glass on front facades and 20 percent on other facades.
- 2.4.12: Structures shall articulate horizontally and vertically a minimum of two feet for every 50 feet of width.
- 2.4.13: Structure facades wider than 90 feet shall change architectural styles along the offset created in Section 2.4.12 to create the appearance of multiple structures rather than one large structure of the same style.
- 2.4.14: All structures utilizing a flat roof shall have a cornice or other finished treatment to complete the top of all structure walls.
- 2.4.15: Colors shall be muted tones which are compatible with surrounding structures. No fluorescent, neon, or other high intensity colors shall be used as a primary structure color. Accent colors of brighter hues are permitted.
- 2.4.16: See Administration Section for waivers from the provisions of Section 2.4.

- 2.5.3: All structures in the Downtown Core shall incorporate a cornerstone which identifies both the Nickel Plate District and the year of construction. Specifications for the cornerstone are available from the Department of Community Development.



- 2.5.4: Loading bays, including garage and service doors, are allowed in the Technology Center and must be approved by the Nickel Plate Review Committee. Examples of desired loading areas are shown here.



2.5: Entrances

- 2.5.1: Each street frontage greater than 30 feet shall have an entry from that street. This entry shall be clearly defined from the façade using an awning of different material or scale than any other awnings present, structure articulation, or similar architectural features that accentuate the entrance.
- 2.5.2: All structures (excluding single-family) with frontages on two public streets shall be required to create a corner feature that addresses the corner as a focal point. This corner shall feature at least two of the following options:
 1. Glass canopy extending at least eight feet from the facade.
 2. Angled structure entry that addresses both streets.
 3. Blade sign on a 45 degree angle at the corner of the structure.
 4. Decorative masonry on structure facade that highlights the corner uniquely.

2.6: Windows, Doors, & Massing

- 2.6.1: Windows and doors may be recessed into a structure to create definition or a usable patio/balcony.
- 2.6.2: Any facades facing a public right-of-way shall have a minimum of 25 percent transparent glass.
- 2.6.3: All facades, except on adjoining walls, shall have a minimum of 10 percent transparent glass.

2.7: Roofing

- 2.7.1: Pitched roofs shall be at least a 5/12 slope.
- 2.7.2: Flat roofs are allowed in all Zones.
- 2.7.3: Green roofs are allowed in all Zones.
- 2.7.4: Standing seam metal roofing is allowed as an accent material only and shall not comprise more than 25 percent of the overall roof area.
- 2.7.5: For every 90 feet of facade width, the structure shall incorporate a change in roof height of five feet or 10 percent of the overall building height, whichever is greater. (Ord. 011717D)

2.8: Mechanical Equipment

- 2.8.1: All mechanical equipment, including but not limited to HVAC, communications equipment, exhaust systems, and other systems, shall be screened from view from the street centerline with architecture matching the primary structure and landscaping, where applicable. Visibility is gauged from the opposite side of the right-of-way at an elevation of 20 feet. On sides with no right-of-way frontage, visibility shall be measured 40 feet from the building face, at an elevation of 20 feet. (Ord. 071816C, Ord. 091817)
- 2.8.2: Mechanical equipment shall not be located in any front yard or side yard. Mechanical equipment shall be located on the roof of the structure or in an integral location within the structure.
- 2.8.3: Mechanical equipment may be located in the front, side, or rear yard in the technology park district when surrounded by a masonry wall or material of similar architecture to the primary structure.



2.9: Accessory Structures, Outdoor Seating and Display

- 2.9.1: When possible, trash enclosures should be integral to the structure or the structure's parking garage.
- 2.9.2: Trash enclosures shall not be placed in any front yard.
- 2.9.3: Free standing trash enclosures shall be masonry to match the primary structure.
- 2.9.4: Outdoor storage is prohibited.
- 2.9.5: Sidewalk displays are permitted during business hours and shall not cover more than eight square feet. The display shall leave at least six feet of clear space on the sidewalk for pedestrians.
- 2.9.6: Outdoor seating areas shall maintain at least six feet of clear space on the sidewalk for pedestrians in all directions.

2.10: Anti-Monotony

- 2.10.1: All non-residential structures in the Nickel Plate District are to have unique architectural facades.
- 2.10.2: Residential structures should have unique architectural facades. Where unique facades are not used, UDO standards shall apply, as amended.
- 2.10.3: Residential and live-work structures should use differing roof designs, differing roof heights, and should be oriented to create push/pull in the street scape (buildings set to slightly different front yard setbacks). (Ord. 071816C)
- 2.10.4: All structures over 80 feet wide should use multiple roof heights as a component of their design. (Ord. 071816C)

2.11: Appropriate Transitions

- 2.11.1: Where the Nickel Plate District abuts other zoning Districts of the Fishers UDO (such as TCR, R-1, C-1, etc.), structure height shall be restricted to a maximum of 16 feet taller than the adjacent, non-Nickel Plate District property. This height may be increased at a rate of one foot in height for every four feet in distance from the closest property line of the non-Nickel Plate District property.

2.12: Gateway Features (Ord. 091817)

- 2.12.1: The gateways shall be defined as the intersection of Fishers Pointe Blvd and Lantern Road, 116th Street and Maple Drive, Lantern Road and 121st Street, and 116th Street and Commercial Drive. Gateway features are not required on single-family attached and single-family detached structures.
- 2.12.2: Structures at gateway locations shall address the thoroughfare (Lantern Road or 116th Street) in a prominent way and shall include at least two (2) of the following elements:
1. Public Courtyard: A public space constructed of landscape with seating, gathering space, and activity space (e.g. fire pit, sports/activity areas, or other activities as approved by staff) that is at least 600 square feet in size and is visible from the gateway location.
 2. Public Plaza: A public space constructed of hardscape with seating, lighting, and gathering space that is at least 400 square feet in size and is visible from the gateway location.
 3. Corner Architectural Feature: 45 degree corner, rounded corner, taller corner feature, or other features approved by staff.
 4. Public Art: An art installation provided by the developer at a location on the site adjacent to the gateway location. Art installations must be of a significant scale to be seen from around the gateway location and must be approved by the Nickel Plate Review Committee.
 5. Other architectural feature as approved by the Nickel Plate Review Committee.



SECTION 3 - LANDSCAPE REGULATIONS

3.1: Intent

The Landscaping Standards are intended to improve the aesthetic character of the Nickel Plate District through an improved vegetated environment and to foster development that will protect and preserve the appearance, character, health, safety and welfare of the community. Additionally, the standards are intended to foster aesthetically pleasing development that encourages native species and ecosystems. Trees, vegetation, irrigation systems, fences, walls, and other landscape elements are essential components of a project. These components act to enhance the visual quality of developments, screen land uses, and better integrate the built and natural environments.

3.2: General Requirements

3.2.1: Process: The following standards shall apply to any development proposal within the boundary of the Nickel Plate District, as shown in Section 1.

3.2.2: Placement: With the exception of street trees, landscape material shall not be planted or placed in rights-of-way or easements without permission from the City or the easement holder unless otherwise required by these standards.

1. Vision Clearance: Materials shall be located to avoid interference with visibility per Article 05: VC: Vision Clearance Standards of the City of Fishers Unified Development Ordinance.
2. Utility Infrastructure: Trees shall be located to avoid significant interference with overhead or underground utilities, including lateral connections. Trees shall be planted at least ten (10) feet from sanitary sewer and water service lines. A tree canopy may project over a right-of-way or easement.
3. Vehicular and Pedestrian Movement: Plant materials shall be located to avoid interference with vehicular and pedestrian movement. Plant materials shall not project over sidewalks, paths, or trails below a height of eight (8) feet. Plant materials shall not project over street curbs or pavement within rights-of-way or access easements below a height of fifteen (15) feet.

4. Energy Conservation: Plantings are encouraged to be arranged to promote energy conservation.

- a. Deciduous Trees: Tall deciduous trees should be placed on the south and west sides of buildings to provide shade from the summer sun, and provide warmth from the winter sun.
- b. Evergreens: Evergreens should be planted on the north side of buildings to dissipate the effect of winter winds.
- c. Distribution: Required landscaping shall be reasonably distributed throughout all open space areas. It is suggested that the required plantings be planted in clusters or irregular patterns, and that native grasses and other native species be used for ornamentation in addition to the required plantings.

5. Landscape quantities are aggregate. Double counting landscape material is not permitted (e.g. street trees counting for lot plantings).

3.2.3: Plant Material Standards: When wooded areas, tree rows or specimen trees are designated to be conserved or have been included in the commitments, the petitioner shall take the following measures:

1. Live Plantings: All plant material shall be living species. Dead, diseased or artificial plants shall not be recognized as contributing to required landscaping.
2. Species Diversity: On sites that require an aggregate total of twenty (20) or more new trees, any given species of tree shall be limited to a maximum of thirty-three percent (33%) of the total number of newly planted trees on site.
3. Permitted Plant Material: All plant material shall be selected from the *Fishers' Approved List of Recommended Species*, as amended. Proposals for additions and substitutions to the list may be submitted to the Department of Community Development for approval as the list is intended as a guide and is not inclusive of all appropriate selections available.
4. Prohibited Plant Material: Species identified in *Fishers' Approved List of Recommended Species: Invasive & Poor Characteristic Species* shall be avoided and shall not be counted toward landscaping requirements.

3.2.4: Landscape Plan: Landscape Plans shall be submitted to Fishers for approval and shall include the following features:

1. Property lines;
2. North arrow;
3. Scale;
4. Existing and proposed structures;
5. Existing and proposed pavement;
6. Rights-of-way;
7. Easements;
8. Topography;
9. Mounds/berms shown by one-foot contour lines;
10. Utilities;
11. Fences and walls;
12. Existing wooded areas and individual trees greater than eight (8) inches in caliper; and
13. Proposed plant material with:
 - a. Identification of botanical and common name;
 - b. Caliper/size;
 - c. Quantity; and
 - d. Planting details.

3.2.5: Substitution for Public Art: The Department of Community Development may reduce the landscaping requirement by up to twenty-five percent (25%) if it is replaced with public art. Public art shall not replace required buffer yard landscaping as required.

3.3: Foundation & Lot Plantings

- 3.3.1: Foundation plantings shall be required for all structures except those in the Downtown Core Zone.
- 3.3.2: Lot Plantings shall be required for all lots inclusive of both disturbed and undisturbed area.
- 3.3.3: Single Family Detached, Townhome and Multifamily building types in all zones except Downtown Core shall follow Landscaping Standards per UDO Article 5 for residential or multifamily use.
- 3.3.4: Municipal Center, Highway Center, Village Center, Technology Center zones:
1. Lots over 15,000 square feet but less than 30,000 square feet shall be required to plant at least one (1) canopy tree.
 2. Lots over 30,000 square feet but less than 45,000 square feet shall be required to plant at least two (2) trees, at least one (1) of which shall be a canopy tree.
 3. Lots over 45,000 square feet shall be required to plant three (3) trees plus one (1) more per every 15,000 square feet over 45,000 square feet. At least one-third (1/3) of all trees planted shall be canopy trees.
 4. Foundation Plantings:
 - a. Foundation plantings shall be located within ten (10) feet of the foundation wall.
 - b. Foundation plantings shall be sixty percent (60%) evergreen.
 - c. Foundation shrubs shall be continuous along all street frontages, excluding building access points.
 - d. For every twenty (20) feet of building frontage, fifteen (15) one-gallon shrubs or eighteen (18) inches tall from the adjacent ground level shall be provided.
 - e. At least two (2) shrubs or one (1) ornamental tree shall be planted for every twelve (12) lineal feet of building circumference exclusive of building street frontage, doors and loading dock openings.

5. Trash enclosures and ground mounted mechanical equipment shall be completely screened with a fence or wall constructed of similar materials as the primary structure, and be supplemented with landscaping.

3.3.5: Downtown Core Zone and building types other than single family, townhome or multifamily in all other zones, the following standards apply:

1. Trees:

- a. Number: Any areas of a site not covered by a structure, parking lot, or required buffer yard shall be planted with a minimum of one (1) tree per five hundred (500) square feet.
- b. Type: All of the required trees shall be canopy trees.
- c. Substitution: Open areas less than ten (10) feet wide may substitute ornamental trees for required canopy trees.

2. Shrubs:

- a. Number: Any areas of a site not covered by a building, parking lot, or required buffer yard shall be planted with a minimum of six (6) shrubs per five hundred (500) square feet.
- b. Type: A minimum of fifty percent (50%) of the required shrubs shall be evergreen.
- c. Substitution: One (1) ornamental tree may be substituted for every three (3) shrubs and ornamental grasses may be substituted; however, substitution shall not exceed fifty percent (50%) of the required shrubs.
- d. Foundation Plantings: Shrubs and ornamental trees along foundation walls of structures shall be planted no closer than two (2) feet and eight (8) feet respectively from the foundation wall.

3.3.6: Downtown Core Parking Lot Perimeter Plantings: Parking lots shall be screened from streets and adjacent uses using a combination of plant materials and decorative walls or decorative fences. Parking lots with six (6) or more spaces shall have the following perimeter planting and decorative wall or fence requirements:

1. Trees:

- a. Number: One (1) tree shall be planted per six (6) parking spaces.

- b. Type: Required trees shall be canopy or ornamental trees.

- c. Location: Trees shall be planted within ten (10) feet of the parking lot edge.

2. Shrubs:

- a. Number: Three (3) shrubs shall be planted per one (1) parking space.
- b. Type: A minimum of fifty percent (50%) of the shrubs shall be evergreen.
- c. Location: Shrubs shall be planted within five (5) feet of the parking lot edge.
- d. Height: Shrubs planted in parking lot perimeter areas shall be selected from species that grow to a minimum height of four (4) feet.

3.3.7: Downtown Core Parking Lot Landscape Bumpouts and Islands:

1. Number: Parking lot areas with sixteen (16) or more spaces shall provide one (1) landscape bumpout or island per every sixteen (16) consecutive parking spaces.
2. Minimum Area: Each landscape bumpout or island shall be at least three hundred twenty-four (324) square feet in size. Graphic showing what counts as bumpout or island
3. Minimum Planting: Each landscape bumpout or island shall contain at least one (1) large canopy tree.
4. Placement: Landscape islands shall be installed to control vehicular circulation and define major drives. Such islands shall be placed at intervals of no more than sixteen (16) consecutive spaces.
5. Lots over 30,000 square feet but less than 45,000 square feet shall be required to plant two (2) trees, one (1) of which shall be a canopy tree.
6. Foundation Plantings:
 - a. Foundation plantings shall be located within ten (10) feet of the foundation wall.
 - b. Foundation plantings shall be sixty percent (60%) evergreen at maturity.

- c. Foundation plantings shall not be required when building is located within five (5) feet of public rights-of-way and where the public sidewalk extends to the entire building foundation.
 - d. Foundation shrubs shall be required when building is setback greater than five (5) feet and/or the public sidewalk does not extend to the entire building foundation.
 - e. When required, at least fifteen (15) one-gallon shrubs or eighteen (18) inches tall from the adjacent ground level shall be planted for every twenty (20) lineal feet of building frontage exclusive of door openings.
7. Trash enclosures and ground mounted mechanical equipment shall be completely screened with a fence or wall constructed of similar materials as the primary structure, and be supplemented with landscaping.
- 2. When plant material is utilized, shrubs shall be planted at a maximum ratio of one (1) shrub per four (4) lineal feet around the perimeter and be maintained at a height of at least thirty-six (36) inches tall at maturity in order to minimize headlights projecting into adjacent properties. Minimum size at planting shall be twenty-four (24) inches in height. A minimum of sixty percent (60%) of shrubs shall be evergreen.
 - 3. When a fence or wall is used they shall be a minimum of thirty (30) inches and a maximum of thirty-six (36) inches in height when adjacent to a street or public sidewalk. Walls and fences shall be a minimum of thirty-six (36) inches in height between adjacent properties when no sidewalk or street is present.
 - 4. The visual screen may be broken into segments to allow for pedestrian movement.

3.4: Parking Lot Plantings

3.4.1: Parking Lot Plantings

- 1. Parking lot plantings are required for all surface lots.
- 2. Surface lots shall provide all perimeter landscape regardless of lot location.
- 3. Surface lots may elect to provide half of the required perimeter parking through incorporation into interior landscape islands.
- 4. Parking lot plantings shall include landscape islands.

3.4.2: Perimeter Landscaping: Surface parking lots with six (6) or more spaces shall have the following perimeter planting:

- 1. Parking lots shall be screened from adjacent uses and the street. In the Technology Center, Parking lots shall be screened from the street and the Nickel Plate Trail. Screening shall consist of a fence, masonry wall, evergreen or deciduous plant material or a combination of such elements.

3.4.3: Interior Parking Lot Landscaping: Surface parking lots with twenty (20) or more parking spaces are required to have the following interior planting:

- 1. One (1) landscape island or peninsula shall be provided per twenty (20) spaces and the islands shall be distributed equally throughout the parking lot.
- 2. Each island or peninsula shall be at least one hundred eighty (180) square feet in size and a minimum of nine (9) feet in width.
- 3. Each island or peninsula shall contain at least one (1) canopy tree per one hundred eighty (180) square feet.
- 4. Each landscape island or peninsula shall be designed such that any tree is not within three and one-half (3 ½') of a curbed or paved edge.
- 5. Parking lot landscape areas shall not be filled with gravel or impervious surface. They shall be free of litter and be maintained with plant materials and mulch.

3.4.4: Graphic Depiction: The Department of Community Development may require a graphic depiction (perspective sketch or elevation) of the parking lot landscaping as seen from the street.

3.5: Parking Structure Plantings

3.5.1: Parking Structure Plantings

1. Parking structures shall be required to provide street plantings equal to an occupied building in that Zone.
2. Parking structures do not have to provide interior landscape islands.
3. Parking structures shall incorporate perimeter landscape or a green screen where the garage is visible from another property or public right-of-way.

3.5.2: Parking Deck Landscaping: All parking decks on a street frontage or adjacent property are required to have the following planting:

1. Foundation plantings shall be located within ten (10) feet of the foundation wall.
2. Foundation plantings shall be sixty percent (60%) evergreen at maturity.
3. At least five (5) three-gallon shrubs or twenty-four (24) inches tall from the adjacent ground level shall be planted for every twenty (20) lineal feet of building frontage exclusive of door openings.
4. At least fifteen (15) one-gallon shrubs or eighteen (18) inches tall from the adjacent ground level shall be planted for every twenty (20) lineal feet of building frontage exclusive of door openings.
5. When a parking deck is located along an adjacent property line, a small-sized buffer yard shall be provided in addition to the required foundation planting. The following quantities are minimums:
 - a. Minimum fifteen (15) feet buffer yard.
 - b. Two (2) canopy trees and two (2) evergreen trees per one Hundred (100) lineal feet. Trees shall be prorated and rounded up to the nearest whole number for every foot over the initial one hundred (100) feet of contiguous boundary with the adjacent property.
 - c. A reasonable attempt to screen the most obnoxious, noise producing, tallest, most intrusive or most visible parts of the parking deck shall be made.

3.5.3: Green Screen: Parking structures may elect to use a green screen to offset architectural and buffer yard requirements. Such a screen shall be approved by the Nickel Plate Review Committee and shall completely cover the garage face in plant material. The plantings shall be a minimum of 50 percent evergreen.

3.5.4: Graphic Depiction: The Department of Community Development may require a graphic depiction (perspective sketch or elevation) of the parking lot landscaping as seen from the street.

3.6: Buffering

3.6.1: Buffer Yard Requirements: A Buffer Yard shall be provided along the side and rear property lines of any property as specified in the Buffer Yard Requirements Table below. New landscaping that is required to meet these Buffer Yard requirements shall not count toward other site or parking landscaping requirements. The Buffer Yard Requirements Table below shall be used to determine the type of buffer yard to be installed on the subject property. The following requirements shall apply to all buffer yards:

1. Responsibility: The developer or owner of the property being developed is responsible for installing the buffer yard at the time of that development. The adjacent property owner shall not be required to participate in the installation of the buffer yard.
2. Location: All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by this Ordinance. The required buffer yards shall be installed despite the presence of streets, alleys, streams or other features that may separate the two properties.
3. Plant Material: All plant material used to meet the buffer yard requirements shall be selected from the Fishers Approved List of Recommended Species. Proposals for additions and substitutions to the list may be submitted to the Department of Community Development for approval as the list is intended as a guide and is not inclusive of all appropriate selections available.

4. Groundcover: All portions of a buffer yard not planted with trees, shrubs, or other required landscape materials shall be covered with grass or similar ground-covering vegetation. Landscaping stone or other non-vegetative materials may not be substituted for ground-covering vegetation. Decorative mulch or stone planting beds may be used around trees, provided that such planting beds are no greater than six (6) feet in diameter.

3.6.2: Buffer Yard Types: Required buffer yards shall be installed according to the following standards:

1. Buffer Yard Type 1:

- a. A minimum setback of ten (10) feet shall be provided in addition to the setback otherwise required by this Ordinance.
- b. One (1) deciduous canopy tree shall be planted in the buffer yard for every thirty (30) feet of boundary between the subject and adjoining properties.

2. Buffer Yard Type 2:

- a. A minimum setback of fifteen (15) feet shall be provided in addition to the setback otherwise required by this Ordinance.
- b. One (1) deciduous canopy tree and two (2) evergreen trees shall be planted in the buffer yard for every twenty-five (25) feet of boundary between the subject and adjoining properties.

3. Buffer Yard Type 3:

- a. A minimum setback of twenty (20) feet shall be provided in addition to the setback otherwise required by this Ordinance. (Ord. 091817)
- b. A row of deciduous canopy trees shall be planted parallel to the property line within the buffer yard with one (1) tree placed every twenty (20) feet along the boundary between the subject and adjoining properties.

Figure 3.1: Required Buffers (Ord. 071816C)

A landscaped buffer type required is listed in the chart below. A buffer is required when...

the subject property is...	and the adjoining property is...										
	DC	MC	VC	HC	TC	TCR	R2	R3	R4	R5	
DC							3	3	3	3	
MC											
VC						1	2	2	2	2	
HC			3			3					
TC							2	2	2	2	2

Where the property line is adjacent to a public right-of-way, no buffer is required.

3.7: Fencing

3.7.1: General:

1. No fence shall exceed six feet in height. (Ord. 071816C)
2. No fence shall be located within three feet of a property line, excluding fences for outdoor seating areas. (Ord. 071816C)
3. All fences must be constructed of durable materials, including, but not limited to, wood, brick, stone, or coated metal. (Ord. 071816C)
4. Slats shall not be used on any chain link fencing. (Ord. 071816C)

3.7.2: Permitted Fencing:

1. Front yard fencing shall not exceed three feet in height. (Ord. 071816C)
2. Privacy fencing shall only be permitted in the Village Center.
 - a. Privacy fences may only be located in the rear and side yards of a structure. Where a corner lot is present, the fence shall step back at least four feet from an adjacent sidewalk. Privacy fences shall not extend beyond the front facade of the structure. (Ord. 071816C)

3.7.3: Outdoor seating areas:

1. Outdoor seating areas may use fencing to designate seating area.
2. Fencing shall be wood, brick, stone, or black coated metal (excluding chain link) with a maximum height of three feet. (Ord. 071816C)
3. An encroachment permit is required.
4. A minimum of six feet of clear space on the adjacent sidewalk must be maintained at all times. (Ord. 071816C)
5. See administration for waivers. (Ord. 071816C)

3.8: Installation & Maintenance

3.8.1: Minimum Size at Installation: Minimum sizes shall apply to plant materials throughout these Landscape Standards.

3.8.2: Street Tree: Two and one-half inch (2 ½") caliper measured using standard nursery practices.

3.8.3: Deciduous Tree: One and one-half inch (1 ½") caliper measured using standard nursery practices.

3.8.4: Evergreen Tree: Six (6) feet tall.

3.8.5: Shrub: One-gallon or greater container size or a minimum eighteen (18) inches from the adjacent ground level.

3.8.6: Landscape Plan Installation Extension:

1. Time Limit: Upon request, the Mayor or Mayor's Designee may grant an extension of up to one hundred eighty (180) days for the complete installation of landscaping materials due to seasonal or weather conditions which preclude the quality installation of plant materials. (Ord. 081715F)
2. Performance Guarantee: As a condition of the extension, the Mayor or Mayor's Designee may require a performance bond, letter of credit or other satisfactory assurance from the person requesting the extension. (Ord. 081715F)

3.8.7: Irrigation Systems: The installation of irrigation systems is strongly encouraged to ensure establishment and long term survivability of plant material. The

use of low volume systems (drip, micro spray, sub-surface, etc.) is highly recommended to minimize water runoff.

3.8.8: Live Plantings: All plant material shall be living species. Dead, diseased or artificial plants shall not be recognized by Fishers as contributing to the required landscaping.

3.8.9: Maintenance: Trees, vegetation, irrigation systems, fences, walls and other landscape material are essential elements of the Nickel Plate District. The petitioner and/or landowner, and their successors in interest are responsible for the regular maintenance of all landscaping elements such that they are kept in good condition. Specifically:

1. All plant material shall be maintained alive, healthy and free from disease and pests.
2. All landscaped areas shall be free of weeds, litter, graffiti and similar signs of deferred maintenance.
3. All landscape structures such as fences and walls shall be repaired or replaced periodically to maintain a structurally sound condition.
4. The maintenance and routine care of plant material located within the rights-of-way shall be the responsibility of the adjacent property owners. For purposes of these Landscape Standards, maintenance and care shall include but not be limited to pruning, watering, fertilizing and mulching, or any item that would constitute a safety hazard to pedestrian or vehicular traffic.
5. Maintenance of all trees and landscape shall conform to accepted industry standards as set forth by a minimum of one of following entities: the Landscape Contractors Association, American Society of Landscape Architects, The International Society of Arboriculture, or the American Natural Standards Institute.

3.8.10: Landscape installed within the public right-of-way shall be the responsibility of the petitioner for a period of one year from installation.

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SECTION 4 - PARKING REGULATIONS

4.1: Intent

The intent of these Parking Standards is to assure that each developed or utilized lot has adequate parking spaces within either dedicated, shared, public or on-street locations. Private lots are discouraged in the Downtown Core and Municipal Center. Lots should be located within the rear setback whenever possible. The use of on-street and shared parking is preferred within the Downtown Core, Municipal Center and Village Center.

4.2: General Requirements

- 4.2.1: Surface: All permanent parking areas shall utilize a paved surface of concrete, asphalt, brick pavers, or the like.
- 4.2.2: Parking of motor vehicles is not permitted on lawns or other pervious-surfaced areas on a lot, unless approved by the Mayor or Mayor's Designee. See Administration for waivers. (Ord. 081715F)
- 4.2.3: Parking Space Dimensions:
1. Minimum Width: Each parking space shall be a minimum of nine feet wide.
 2. Minimum Length:
 - a. Standard: Each parking space shall be a minimum of 18 feet long.
 - b. Adjacent to Landscape Areas: The minimum length of a parking space may be reduced to 16 feet if the parking space extends into a landscape area such that a car's front end may project into the landscape area. Landscape areas shall be two feet wider to accommodate.
 - c. Adjacent to Sidewalks: The minimum length of a parking space may be reduced to 16 feet if the parking space extends into a sidewalk such that a car's front end may project over the sidewalk. In the event that a car projects over a sidewalk, the sidewalk shall be two feet wider than the required width. Under no circumstance shall a sidewalk have less than six feet of clear area for pedestrians to pass when a vehicle's front end is projecting over part of the sidewalk; however, under no circumstance shall an off-street parking space overhang into a public or private street right-of-way.

4.2.4: Compact Parking Spaces may be used to address unique site constraints, which shall be approved by the Mayor or Mayor's Designee. See Administration for waivers. (Ord. 081715F)

1. Compact spaces may be provided at a maximum of 10 percent of the total number of required parking spaces.
2. Compact parking spaces shall be a minimum of eight feet in width and 16 feet in length.
3. All compact parking spaces shall be clearly identified through signage and pavement markings.

4.2.5: Access: Off-street parking spaces shall not be fully or partially in a public or private right-of-way or access easement.

4.2.6: Driving Lanes: Driving lanes in parking lots that provide access to parking aisles shall be clearly striped and shall be curbed.

4.2.7: Parking Layout: The Nickel Plate Review Committee shall review the parking layout to ensure that vehicular circulation to and within the parking lot is managed in a logical manner thereby confirming: (Ord. 011717D)

1. That the design and location of proposed street access points minimize safety hazards and congestion;
2. That the access points, streets, and internal traffic circulation facilities are compatible with existing and planned streets and adjacent developments.
3. Wheel stops are required for spaces facing a designated walkway without a curb.
4. Where a surface parking lot is within 15 feet of a property line, a vehicular connection shall be provided to any adjacent property. This requirement may be waived by the Mayor or Mayor's Designee should the adjacent property already be developed. (Ord. 081715F)
5. Parking garages shall be located within the building envelope, and surface parking lots may encroach into the setback, but shall be at least five feet away from a property line.
6. Parking lots must be located in the rear yard, except for temporary lots and within the Technology Center. (Ord. 011717D)

- 4.2.8: Parking Lot Striping: Parking spaces in parking lots shall be striped so as to clearly show each parking space. These stripes shall be maintained in clearly visible condition.
- 4.2.9: Display and Storage: Parking spaces shall not be used for display or storage of merchandise or similar.
- 4.2.10: Surface lots shall not be permitted in the Village Center Zone. See Administration for waivers. (Ord. 011717D, Ord. 091817)
- 4.2.11: All developments over 35,000 square feet and/or 50 residential units shall provide a minimum of two drop-off/delivery/pick-up parking spaces. (Ord. 091817)

4.3: Number of Spaces Required

- 4.3.1: The number of spaces required shall be determined by Figure 4.1.
- 4.3.2: Administrative Adjustments: The minimum or maximum number of parking spaces may be adjusted by the Mayor or Mayor's Designee or the Nickel Plate Review Committee. See Administration for waivers. (Ord. 081715F)
- 4.3.3: Use Determination: If a use is not clearly noted in Figure 4.1, the Director of Community Development shall determine into which use(s) the proposed development best fits, therefore determining the minimum parking spaces required.
- 4.3.4: Storage: Any parking space that is used for a cart corral or similar use shall not be counted toward the minimum number of required parking spaces.
- 4.3.5: Parking funded with municipal assistance is exempt from the maximum parking standards.
- 4.3.6: Single family homes may count attached or detached garage spaces as off-street parking spaces.
- 4.3.7: All parking is not required to be off-street. Use of Shared Parking and Public Parking is encouraged. Spaces in a municipal garage may be available with the approval of the Mayor or Mayor's Designee. (Ord. 081715F)
- 4.3.8: An entire development may satisfy its parking requirement through the use of shared and/or public parking with no individual off-street parking.
 - 1. If at least two (2) on-street spaces which are dedicated and striped are not available within 50 feet of a structure's entrance, then at least four

(4) spaces shall be provided on the subject property. See administration for waivers. (Ord. 011717D)

4.4: Accessible Parking Spaces

- 4.4.1: The requirements for accessible parking shall be regulated according to Americans with Disabilities Act guidelines.

4.5: Bicycle Parking

- 4.5.1: Minimum number of bicycle parking spaces: A minimum of three bicycle parking spaces are required for each development.
- 4.5.2: One additional space shall be provided per 30 vehicle parking spaces. No more than 20 bicycle parking spaces shall be required for any development.
- 4.5.3: The bicycle parking spaces shall be located in close proximity to the main entryway into the primary structure or within the primary structure.
- 4.5.4: Bike Rack Requirement: A bike rack shall be installed to hold and secure the bicycles or other means for security shall be provided.
- 4.5.5: Pedestrian Ways: Bicycle parking areas shall be designed such that when fully occupied, the bicycles, including trailers, shall not obstruct an adjacent sidewalk, path, or other pedestrian way.

4.6: Shared Parking

- 4.6.1: Two or more adjacent properties may establish a shared parking area when the following criteria are met:
 - 1. Administrative Approval: The Mayor or Mayor's Designee shall approve the use of shared parking. (Ord. 081715F)
 - 2. Reciprocal Parking Agreement: A written reciprocal parking agreement signed by all property owners involved is required and shall include provisions concerning at least the following items: maintenance, snow removal, ownership, and liability and shall be recorded in the Hamilton County Recorder's office. The agreement may be reviewed and approved by the Fishers Attorney. A copy of the recorded agreement shall also be

submitted to and kept in the Department of Community Development office.

3. Shared parking facilities shall be fully located within 600 feet of the structures the parking intends to serve.

4.6.2: Shared parking is calculated in Figure 4.2. The required parking is divided by the parking factor for each use in the area to be shared.

4.6.3: Petitioners wishing to construct parking above their required ratio with the intent to accommodate future businesses may build the increased parking with the approval of the Mayor or Mayor's Designee. See Administration for waivers. (Ord. 081715F)

4.7: Public Parking

4.7.1: On-street parking may be used to satisfy the parking demand for a property given the following requirements.

1. Parking spaces shall be within 600 feet of the subject property.
2. Parking spaces immediately adjacent to the property count one-to-one toward the required parking.
3. All other parking spaces within 600 feet apply at a ratio of two public, on-street spaces per one required space.

4.7.2: Municipal Parking Structure(s) may be used to satisfy a portion or all of the parking requirements for a property given the following requirements:

1. Use of spaces in a Municipal structure requires approval of the Mayor or Mayor's Designee. (Ord. 081715F)
2. Shared parking shall be calculated according to Section 4.6.

4.8: Driveway Standards

4.8.1: Private driveways shall be no wider than 34 feet.

4.8.2: Driveways for the may be no closer than 70 feet apart.

4.9: Loading Areas

4.9.1: Loading areas, if necessary, shall be located integral to parking areas.

4.9.2: If not feasible to locate loading within the site, loading may be along the adjacent roadway with the lowest functional classification.

4.9.3: Loading utilizing on-street spaces is discouraged. However, loading may use on-street parking areas with the approval of the Mayor or Mayor's Designee. (Ord. 081715F)

4.10: Surface Parking

4.10.1: Intent: Surface parking lots are to be a temporary use in DC and MC when no municipal parking structure or sufficient street parking is not available. No permanent surface parking lots are to be allowed in DC and MC. However, small lots behind primary structures are encouraged within the rear building setback. This situation will allow buildings to be built before all of the necessary infrastructure is built. This will also allow for future redevelopment of any surface lot in MC or DC. (Ord. 071816C)

4.10.2: All surface parking lots, including temporary parking lots, shall be buffered and landscaped according to the Fishers UDO, as amended.

4.10.3: Temporary parking lots shall provide streetscape elements (i.e. tree grates, sidewalk, etc.) in accordance with the Street Standards.

4.10.4: Surface lots shall be approved by the Mayor or Mayor's Designee. (Ord. 081715F)

4.10.5: Temporary surface lots shall be sold to Fishers at the current market value at such time as garage, street, or other temporary parking is available within 550 feet of the existing, temporary surface lot. At the time of the sale, a perpetual easement for an equal number of spaces shall be granted to the property owner.

1. Parking for businesses north of 116th Street shall not be moved to an area south of 116th Street or vice versa.
2. The distance of 550 feet is measured as the walking distance along public rights-of-way or easements from the nearest corner of the existing lot (or adjacent business that it serves, whichever is closer) to the nearest corner of the new parking area.

Figure 4.1: Required Parking Ratios (Ord. 011717D)

USE	DOWNTOWN CORE	MUNICIPAL CENTER	HIGHWAY CENTER	VILLAGE CENTER	TECHNOLOGY CENTER
RESIDENTIAL					
Minimum	1.25 / dwelling	N/A	N/A	2.0 / dwelling	1.25 / dwelling
Maximum	1.75 / dwelling	N/A	N/A	6.0 / dwelling	2.0 / dwelling
LODGING					
Minimum	0.5 / room	N/A	1.0 / room	1.0 / room	N/A
Maximum	1.0 / room	N/A	1.25/ room	1.25/ room	N/A
OFFICE					
Minimum	2.0 / 1000 sq. ft.	2.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	3.0 / 1000 sq. ft.	2/1000 sq. ft.
Maximum	3.2 / 1000 sq. ft.	3.2 / 1000 sq. ft.	3.5 / 1000 sq. ft.	3.5 / 1000 sq. ft.	3.2/1000 sq. ft.
RETAIL / SERVICE					
Minimum	2.5 / 1000 sq. ft.	2.5 / 1000 sq. ft.	3.75 / 1000 sq. ft.	3.75 / 1000 sq. ft.	3.75/1000 sq. ft.
Maximum	4.0 / 1,000 sq. ft.	4.0 / 1000 sq. ft.	5.0 / 1000 sq. ft.	5.0 / 1000 sq. ft.	5.0/1000 sq. ft.
RESTAURANT					
Minimum	1 / 4 seats	1 / 4 seats	1 / 4 seats	1 / 3 seats	1/4 seats
Maximum	1 / 2 seats	1 / 2 seats	1 / 2 seats	1 / 2 seats	1/2 seats
TECH/RESEARCH					
Minimum	N/A	N/A	N/A	N/A	N/A
Maximum	N/A	N/A	N/A	N/A	5/1000 sq. ft.
CIVIC	To be determined by Mayor or Mayor's Designee (Ord. 081715F)				
OTHER	To be determined by Mayor or Mayor's Designee (Ord. 081715F)				

- The Mayor or Mayor's Designee may require the use of the highest or lowest ratio. (Ord. 081715F)
- The Mayor or Mayor's Designee may allow petitions to exceed the maximum parking ratio. See Administration for waivers. (Ord. 081715F)
- Square footage measurements are based on gross floor area.

Figure 4.2: Shared Parking Factor

USE	Residential	Lodging	Office	Retail / Service	Restaurant	Tech/Research
Residential	1.0	1.1	1.4	1.2	1.1	1.4
Lodging	1.1	1.0	1.7	1.3	1.3	1.7
Office	1.4	1.7	1.0	1.2	1.2	1.2
Retail / Service	1.2	1.3	1.2	1.0	1.1	1.2
Restaurant	1.1	1.3	1.2	1.1	1.0	1.2
Tech/Research	1.4	1.7	1.2	1.2	1.2	1.0

*Example Calculation of two uses with shared parking: Retail (10,000 sf.) and Residential (20 dwellings) in the Downtown Core.

Retail parking required: $3.0 \times 10 = 30$ spaces / 1.2 (parking factor) = 25 Effective parking required

Residential parking required: $1.25 \times 20 = 25$ spaces / 1.2 (parking factor) = 21 Effective parking required

Effective residential parking + effective retail parking = 46 Total required spaces



SECTION 5 - LIGHTING REGULATIONS

5.1: Intent

The intent of the lighting standards is to establish outdoor lighting standards that balance safety and aesthetics while minimizing potentially adverse impacts on surrounding developments and the night sky. Lighting should be complimentary to pedestrian-scale downtown development and designed to maximize energy efficiency. Lighting requirements are intended to promote nighttime security while minimizing negative impacts.

5.2: Submission of Plans & Compliance

5.2.1: A description of all exterior lighting features shall be provided by the petitioner with the development application in the form of manufacturer catalog cut sheets and photos that demonstrate compliance with the standards of this section. The description shall also include exterior security lighting. For multifamily, mixed use, and commercial development, a lighting plan, including photometric calculations, shall be reviewed as part of the Improvement Location Permit (ILP) application.

5.3: General Requirements

- 5.3.1: All street adjacent lighting provided by Fishers shall be shown and included on lighting plans.
- 5.3.2: Lighting to be provided by the petitioner in the public right-of-way shall be in accordance with the requirements of the Fishers Department of Public Works and Section 7 of this Code. Street lighting is required at all intersections and along all roads unless otherwise specified by the Departments of Public Works or Community Development. (Ord. 011717D)
- 5.3.3: Uniformity: All lighting fixtures and poles within a single development shall be complementary in style and color, and shall be compatible with the architecture of the building.
- 5.3.4: Cutoff: All light fixtures shall include full cutoffs, including those attached to the exterior of a building or pole mounted lighting. This standard shall also apply to structural canopies.
- 5.3.5: Natural Light: Lighting elements shall provide a natural spectrum of light such as LED, metal halide and halogen.



- 5.3.6: Glare: All exterior building lighting shall be fully shielded with opaque material to minimize glare. No outdoor lighting shall be so intense or brilliant as to impair the vision of drivers, pedestrians or employees or disturb the daily activities of adjoining or neighboring residents.
- 5.3.7: Architectural Accent Lighting: All ground lighting used to cast light onto building facades, building features, or signs shall have shields to ensure that light does not project beyond the building or sign, and shall utilize the minimum amount of light necessary to light the façade, building feature or sign. The light fixture and bulb shall be shielded from any street, sidewalk or parking lot.
- 5.3.8: Object Lighting: Light fixtures used to illuminate flags, statues, or any other objects mounted on a pole, pedestal, or platform shall use a narrow cone beam of light focused on the object with minimal light extending beyond the illuminated object.
- 5.3.9: Pole mounted lighting shall not exceed 12 feet in height in the Village Center and 20 feet in all other Zones.
- 5.3.10: Building mounted lighting shall not emit light directly onto any single family residential property.
- 5.3.11: Street Lights shall be placed according to the Fishers Department of Public Works.
- 5.3.12: Gas stations shall have recessed fixtures and shall not have any lighting protruding down from the canopy.
- 5.3.13: Any lighting device encroaching in the public right-of-way requires an encroachment permit.

5.4: Light Design Requirements

- 5.4.1: The maximum light level of any light fixture cannot exceed 0.5 footcandles measured at the property line of any residential district, 2.0 footcandles measured at the property line of any non-residential district, and 2.5 footcandles at the property line of a parking lot.
- 5.4.2: All lighting fixtures and poles within a single development shall be consistent in style, color, size, height, and design and compatible with the architectural character of the development. Service connections for all freestanding lighting fixtures must be installed underground.

5.5: Exemptions

- 5.5.1: Residential Homes – Soffit or wall-mounted lights that are permanently attached to single-family residential dwellings, shall include full cutoff fixtures.
- 5.5.2: Temporary Lighting
 - 1. Decorative seasonal lighting provided that individual lamps have a light output of 200 lumens or less.
 - 2. Lighting for emergency work or construction work.
 - 3. Lighting for special events authorized through a permit.
 - 4. Lighting required and regulated by the Federal Aviation Administration.

5.6: Prohibitions

- 5.6.1: Mercury vapor and metal halide light sources, searchlights, and strobe lights.
- 5.6.2: Low pressure sodium lights.
- 5.6.3: Fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) on building exteriors.
- 5.6.4: Blinking, flashing or flickering lights, or any lighting used to depict action or create a special effect or scene, except for decorative seasonal lighting.

- 5.6.5: Visible bands of lighting at the cornice and or around building elements. However, the glow from a light ribbon is permitted.

- 5.6.6: Sport field lighting

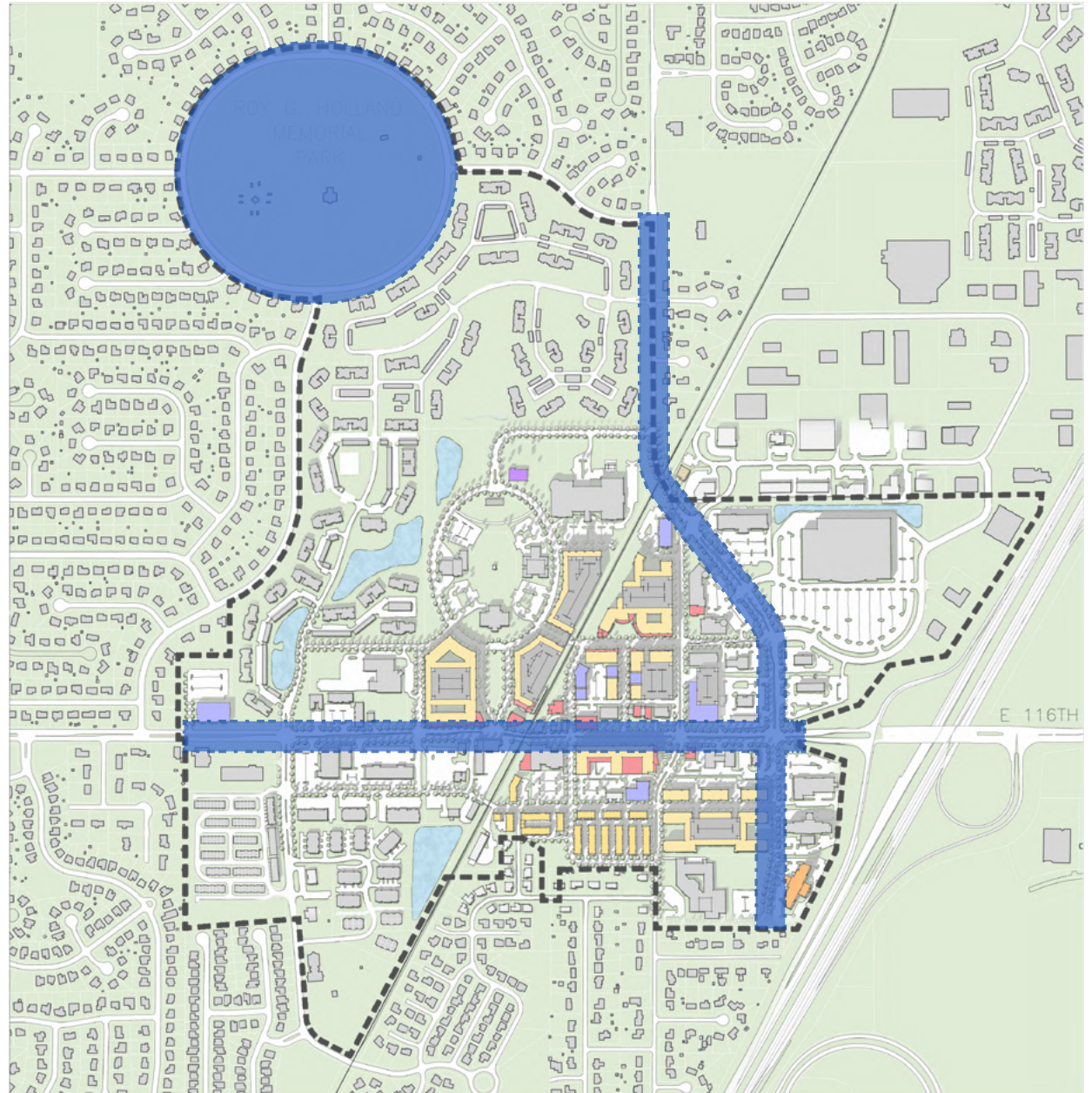
5.7: Light Measurements

- 5.7.1: Measurements of light readings shall be taken along any portion of a property line of the subject property at a height of five feet with a light meter laid on the property line and facing the center of the property.

Life safety devices are exempt from the provisions of this section.

Figure 5.1: Lighting Plan

All areas indicated in blue are to utilize the standard City of Fishers light at forty feet (40 ft.) on center. All other areas within the Nickel Plate District are to utilize the new, modern acorn light at forty feet (40 ft.) on center. (Ord. 110514C)





SECTION 6 - SIGNAGE REGULATIONS

6.1: Intent

The intent of the signage standards of the Nickel Plate Code is to encourage the effective use of signage as a means of communication while also enhancing the aesthetics of a walkable downtown environment. The standards aim to ensure the compatibility of signs with a downtown streetscape, to encourage the use of signs appropriate to residential and commercial activities, to ensure the safety of vehicular and pedestrian traffic, and to support the economic development within Fishers.

The signage standards are a supplement to the standards of the Fishers UDO, as amended. Where conflicts exist, this Code shall prevail. Where standards are not addressed by this Code, the UDO, as amended, shall prevail.

6.1.1: Use:

6. Multi-tenant buildings should identify the structure/project with projecting signs and/or upper wall signage. Individual tenants should be identified with lower wall signs and/or upper wall signs. (Ord. 071816C)

6.1.2: Design:

7. Sign size, shape, color, height, and placement must be compatible and harmonious with the building to which it is affixed. (Ord. 071816C)
8. Signage must be compatible with the visual characteristics of the surrounding area. (Ord. 071816C)
9. Signage location and design of its visual elements (text, logos, proportions) must be legible under normal viewing conditions. (Ord. 071816C)
10. Signage must not obscure or unduly detract from existing signage. (Ord. 071816C)

See Administration for waivers. (Ord. 071816C)

6.2: Compliance, Permits & Applications

6.2.1: Compliance: All signs shall comply with the general rules, regulations, and requirements governing their placement, type, number, and size as outlined and contained in the provisions of this section. The only signs permitted are those stated within this section; all other signs are prohibited unless otherwise stated.

6.2.2: All applications for design review or Improvement Location Permits shall show the location of proposed signage.

6.2.3: Permit Required:

1. All signs are required to have a permit to erect, alter, or relocate except as otherwise provided herein.
2. When a sign permit has been issued, it shall be unlawful to change, modify, alter or otherwise deviate from the terms and conditions of said permit without prior approval of the Department of Community Development. A written record of such approval shall be entered upon the original permit application and maintained in the files of the Department of Community Development.
3. A permanent sign permit shall not be issued before a change of use, change of occupancy, or tenant finish permit has been filed.
4. Applications shall be made available by the Department of Community Development.
5. All applications requiring Nickel Plate Review Committee approval shall submit a complete signage package for review. (Ord. 071816C)

6.2.4: Permit Not Required:

1. Activity Signs: For single family residential use only, school activities and the like are permitted with a maximum sign area of eight square feet.
2. Construction Area Signs: Construction signs such as construction entrance only, concrete washout, hard hat area, caution area, low wires, and the like are permitted with a maximum sign area of eight square feet per sign.
3. Corner Stones: Names of buildings, dates of erection, monumental citations, or commemorative tablets not to exceed nine square feet, and the like, when carved into stone, concrete, or similar material or made of bronze, aluminum, or other permanent type construction and made an integral part of the structure.
4. Credit/Debit Signage: Each ATM may include identification signs and a list of accepted cards. These signs shall be limited to 20 percent of the ATM machine.
5. Cultural Elements: Artwork, murals, sculpted elements, and the like that do not refer to a commercial activity shall be reviewed by the City of Fishers or designee.

6. Delivery Entrance: Decorative name plates which shall not exceed two square feet in area per building or tenant space in order to identify a specific delivery entrance.
 7. Flags: One corporate flag, provided it is flown in conjunction with a United States of America flag, is permitted per site.
 8. Holiday Decorations and Special Events: Decorations which directly relate to an individual achievement, specifically noncommercial in nature, such as, birthday, anniversary, birth announcement, recognized holidays, or civic events.
 9. Public Signs: Signs of a noncommercial nature and in the public interest, erected by or on the order of an official of the City, County, State, or Federal government acting in the performance of his/her duty, such as safety signs, danger signs, trespassing signs, traffic signs and memorial plaques.
 10. Replacing Copy: Making a change to the sign copy in a manner that will not alter or relocate the sign structure in any manner is permitted.
 11. Residential Nameplate: A nameplate which shall not exceed one square foot in area is permitted for each dwelling unit of a single family or row structure; such nameplate shall indicate nothing other than name and/or address of the occupant.
 12. Sign Maintenance: Painting, repainting, cleaning and other normal maintenance and repair of a sign or a sign structure shall not require a permit unless a structural change or change in lighting is made.
 13. Special Event: Signage which has been approved by the City Council or its designee for the purpose of displaying a sign on Fishers property shall be exempt from the Nickel Plate District Code.
 14. Municipal Property: Signs established on Fishers owned property or within the public right-of-way that have been reviewed and approved by Fishers.
 15. Sandwich Board Signs: Sandwich Board Signs do not require a sign permit, however an encroachment permit may be required.
 16. Pedestrian Signs: Pedestrian-oriented signs less than two square feet in area shall not require a permit.
 17. Art Installations: Installations approved by the Fishers Community Art Selection Committee shall not be considered signage.
 18. All wayfinding signage within the right-of-way may be approved by the Mayor or Mayor's Designee. (Ord. 081715F, 110514C)
- 6.2.5: Permit Application: A sign permit application is required to erect, construct, alter, or relocate a sign under the provisions of this section. The application shall include:
1. The names, addresses, and contact information of the contractor, business, or other persons responsible for the placement of the sign.
 2. A detailed site plan drawing indicating the lot size, tenant space frontage, placement, location, landscaping, and address of the sign.
 3. A scaled elevation drawing indicating the size of the sign, and sign structure.
 4. The property owners contact information and signature. Consent from the owner of the subject property or an affidavit of agency signed by the owner are permissible if a sign company is securing a permit.
 5. Fees for a sign permit shall be fixed by ordinances adopted by the City Council.

6.3: Prohibited Signs

6.3.1: Prohibited Signs:

1. No sign or other advertising device with visible moving parts or with flashing, animated, or intermittent illumination shall be erected except signs indicating the time, date, or weather conditions provided this area does not exceed 20 percent of the permitted sign area and shall not flash, blink, or have moving illumination. This excludes required life safety devices.
2. No sign or sign structure shall be erected at any location where it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. No rotating beam, beacon, or flashing illumination resembling emergency lights shall be used in connection with a sign display, nor shall a sign make use of the words "Stop," "Look," "Danger," or any other word, phrase, symbol, or character in such a manner as to interfere with, mislead, or confuse traffic. No sign shall emit any form of sound or sounds.

3. No permanent sign shall contain fluorescent paint or the like, including mirrors, which has the effect of intensifying reflected light.
4. No permanent or temporary sign shall be affixed to any fence, tree, or any utility structure.
5. Ribbon, pennants, balloons, streamers, strings of light bulbs, spinners, or the like are not permitted.
6. No sign shall obstruct a window, door, fire escape, stairway, or any opening intended to provide air, egress, or ingress for a building or structure.
7. No sign shall be placed within the right-of-way of a public street without the approval of the City Council or designee.
8. No sign shall be placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign. This does not apply to signs or lettering on buses, taxis or vehicles operating during the normal course of business.
9. Billboard: Not permitted in any zone.
10. Digital signage shall not be permitted in the Nickel Plate District. Clocks and temperature readouts are exempt but may be no larger than two square feet and shall be a single color, on a black background, and have no animation.

6.4: General Standards

This sign standards section applies to all Zones:

- 6.4.1: All signs shall complement the materials of the building which they identify, be architecturally compatible with the related structure, and shall be constructed of durable materials.
- 6.4.2: No signs or signage illumination shall be so designed, located, unshielded, or directed to cast glare or direct light from artificial illumination upon adjacent publicly dedicated streets and surrounding property.
- 6.4.3: At such time that a wall sign is removed from the facade of a building and replaced with a new sign, the facade shall be restored to match the existing condition of the wall area. All previous mounting holes and ghosting images

shall be removed and the facade shall match the existing condition of the building. Such persons or companies requesting issuance of a Sign Permit shall be required to assume sole responsibility for the restoration of the building facade at the time the existing sign is removed.

- 6.4.4: Design: Individually mounted letters constructed of an opaque material such as wood or metal may be used in conjunction with an architecturally enhanced background which shall define the sign area. The source of such backlighting shall be internal to each letter (e.g. reverse channel neon) and shall illuminate the wall to which they are attached. Other lighting sources include external uplighting, gooseneck downlighting. In no instance shall light be emitted directly from the sign letters nor the lighting source visible from passing vehicles. (Ord. 071816C)
- 6.4.5: Signage shall not project above the finished height of any facade.
- 6.4.6: All signs shall maintain a minimum of eight feet of vertical clearance from the sidewalk.
- 6.4.7: Vision clearance shall be maintained for motorists at all times.
- 6.4.8: Illumination of signs shall only occur on facades facing a public right-of-way except as otherwise provided herein.

6.5: Temporary Signs

- 6.5.1: Temporary signs are permissible in all zones and shall be subject to the Unified Development Ordinance regulations for temporary signage, as amended.
- 6.5.2: Project identification signs: Signs to identify new projects are required. These are to be temporary signs that must be removed before a certificate of occupancy is issued. In no instance can a sign remain for more than one year. Signs may be a maximum of four feet by eight feet (4 ft. x 8 ft.) with one per roadway frontage. Alternate project identification sign standards may be approved by the Mayor or Mayor's Designee. (Ord. 081715F, 110514C)

6.6: Types of Signs

- 6.6.1: Figure 6.1 identifies the allowed signage types and the Zones that permit each type of signs.
- 6.6.2: Projecting Sign:

Figure 6.1: Sign Types	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
Projecting Sign <i>A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.</i>	●	●			●
Canopy / Awning / Ribbon Sign <i>Horizontal signage incorporated in or attached to the edge of a canopy or awning, or along a horizontal course of the building facade.</i>	●	●	●		●
Drive-Through Menu Board <i>A permanently mounted sign displaying the bill of fare for a permitted drive-through restaurant.</i>			●		
Ground Sign <i>A sign located near a street and within one foot in height of the existing grade.</i>		●	●	●	●
Pedestrian Blade Sign <i>A horizontal sign that projects from the building face near an entry point to identify the tenant, also known as a pedestrian or sidewalk sign.</i>	●			●	●
Sandwich Board Sign <i>A movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.</i>	●	●	●	●	●
Integrated Center Sign <i>A multi-tenant sign with changeable faces to advertise for all tenants of a given commercial site.</i>			●		●
Wall Sign <i>A sign attached to and/or integral with the exterior wall or window surface of a building, the face of which is parallel to the surface and does not project more than twelve (12) inches from the surface.</i>	●	●	●		●
Directory Sign <i>A pedestrian-scale sign used to identify internal tenants of a multi-tenant building. (Ord. 071816C)</i>	●	●	●	●	●

● = Indicates sign type is permitted.

1. Projecting signs are only permitted on buildings of two stories or higher.
2. A maximum of one projecting sign is permitted per tenant per street frontage. A maximum of two (2) projecting signs may be used per frontage. Building identification signs may be used as projecting signs. (Ord. 110514C)
3. Maximum area allowed for a projecting sign is one square foot per lineal foot of tenant street frontage, with a maximum of seventy-two square feet per side per tenant frontage.
4. Maximum height permitted for a projecting sign is twelve feet for a two story structure and 18 feet for three story structure or taller. Maximum width is three feet for a two story structure and four feet for a three story structure or taller.
5. No projecting sign may protrude more than thirty-six inches from the wall or face of the building. Support structures between the building and the sign only shall be counted toward this allowance.
6. Changeable copy is not permitted on Projecting Signs.
7. Any property that utilizes a freestanding sign shall be prohibited from utilizing a projecting sign.
8. The applicant for a projecting sign shall provide information verifying that the building facade containing the projecting sign can tolerate wind loading.
9. Minimum clearance of eight feet from ground is required.

6.6.3: Canopy / Awning / Ribbon Signs

1. Canopy and awning signage shall only be allowed along the leading edge in a single row of text.
2. Copy shall not exceed twelve inches in height and shall not occupy more than 40 percent of the awning or canopy's leading edge. Logos may extend to 18 inches in height but shall not constitute over 20 percent of the sign area.
3. No illumination is permitted except for Ribbon signs which may have external illumination.

6.6.4: Drive Through Menu Board

For illustrative purposes only.



1. Drive through menu board signage shall follow regulations of the Unified Development Ordinance, Article 5, Signage Standards, as amended.

6.6.5: Ground Sign

1. In the zones where ground signs are allowed, no more than one ground sign shall be permitted per street frontage per lot.
2. No ground sign shall be permitted on lots where the primary structure on a lot is set back less than fifteen feet from the public right-of-way.
3. Ground signs shall be of masonry or metal construction.
4. Maximum sign area shall not exceed 20 square feet per face.
5. The maximum height of the sign structure to which the sign is affixed shall not exceed four feet as measured from the grade of the adjacent street at street edge.
6. Landscaping shall be required around the foundation of ground signs and the planting area shall be twice the square footage of the sign area.
7. Ground signs may be located up to the property line but shall not be located within the vision clearance triangle.
8. Ground signs in the Village Center, Downtown Core, and Municipal Center Districts shall be externally lit. Ground mounted light fixtures shall be concealed from public view. Ground signs in the Highway Center District may be internally illuminated, however, sign backgrounds must

remain completely opaque, allowing light to only emit through routed out letters and logos. (Ord. 081715E)

9. Existing ground signs within the DC may remain on the property. Such signs may be replaced with a sign that is in keeping with this Code or remains in compliance with the Ordinance under which the sign was previously approved. Ground signs on existing properties in the DC shall only be permitted if the footprint of the existing use on the property does not change. (Ord. 110514C)

6.6.6: Pedestrian Blade Sign

1. There shall not be more than one pedestrian blade sign for each tenant per street frontage.
2. Pedestrian Blade Signs shall not exceed three square feet per side per tenant frontage. Maximum height not to exceed 16 inches and maximum width not to exceed three feet. (Ord. 071816C)
3. Minimum clearance of eight feet required from the ground.
4. A pedestrian blade sign may be located on the outermost wall of any primary building but shall not project more than four feet from the wall to which the sign is affixed. If the sign projects into the right-of-way, the owner may be required to submit proof of insurance and certified engineered drawings detailing how the sign is attached to the building.
5. External illumination shall be the only permitted lighting.

6.6.7: Sandwich Board Sign

1. Sandwich board signs shall not exceed six square feet in area per face.
2. Shall not exceed 42 inches in height.
3. Shall be constructed of wood or material that is equally durable and is comparable aesthetically to wall signage.
4. Only tenants with entrances from the sidewalk shall be permitted sandwich board signs.
5. One sandwich board sign is permitted per tenant.
6. Shall not be illuminated.
7. Six feet of clear space shall be maintained on the sidewalk.

For illustrative purposes only.



8. May only be used during business hours.

9. Sandwich board signs shall be located within eight feet of the main entry of the tenant.

6.6.8: Integrated Center Sign

1. Integrated center signs shall not exceed six feet in height.
2. The maximum area for the sign copy shall be 32 square feet.
3. One sign is permitted per frontage.
4. Changeable copy panels are permitted. A tenant may not have more than one panel per the original sign permit.

6.6.9: Wall Sign

1. All wall signs shall be individually cut letters, preferably mounted on a raceway; the same color as the facade. An internally-lit logo sign is permitted for logo graphics and shall not exceed 20 percent of the total sign area that is utilized. Logo graphics are still subject to other height restrictions stated herein. External illumination, reverse channel illumination, and face lit signs are permitted specific to the designated area of the Nickel Plate District where the sign is located. Illuminated signs are only permitted if light emitted does not extend beyond the building façade. Face lit wall signs are only permitted in Highway Center. (Ord. 110514C, 071816C)
2. Wall signs shall be permitted at the top of the building's facade (Upper Wall Sign) and between the first and second floors (Lower Wall Sign).
 - a. Upper Wall Signs shall not exceed seventy-two (72) inches in height. Such signs are only available to buildings two (2) or more stories in height. (Ord. 110514C)

- b. Lower Wall Signs shall not exceed forty-eight (48) inches in height.
 - c. One (1) Upper Wall Sign is permitted per every sixty (60) foot increment of facade width with a maximum of two (2) upper wall signs per frontage. (Ord. 110514C)
 - d. One Lower Wall Sign is permitted per every 20 foot increment of facade width.
 - e. Upper and lower wall signs may only be used in combination when a structure is at least three stories in height.
3. When used with a Projecting Sign, the Upper Wall Sign shall be at least 30 percent smaller than the Blade Sign.
 4. Signs installed on or within a foot of a window pane shall be considered a wall sign. Window signage may not cover more than fifty percent of the glass area. Signs that are illuminated shall not cover more than ten percent of the window area and shall not flash.
 5. Ground level tenants may have one and one-half square feet (1.5 sq. ft.) of signage per linear foot of frontage for a lower wall sign. (Ord. 110514C)
 6. Sign area shall not exceed:
 - a. 1.5 square feet per linear foot of structure width.
 - b. Allowable wall sign space shall be reduced by 30 percent when used in combination with a Projecting Sign.
 7. Minimum separation:
 - a. Upper Wall Sign: 60 feet on center.
 - b. Lower Wall Sign: 20 feet on center.
 8. All upper wall signs shall have text of approximately the same height (within ten percent (10%)) in each development. All lower wall signs shall have text of approximately the same height (within ten percent (10%)) in each development. (Ord. 110514C)
 9. Lower wall sign areas may be allotted for use on awnings or canopies. In no instance shall the wall sign be allowed when the sign area has been allotted to the canopy or awning. (Ord. 110514C)
 10. Wall signs shall not project more than eight inches from the wall to which they are to be affixed.
 11. In no instance shall an upper wall sign and a lower wall sign be used to represent the same entity on the same façade. (Ord. 110514C)
 12. No signs, except window signs, shall be placed more than one foot above the finish floor level of the second floor of a multistory building to which they are attached. In no case shall a sign be placed more than 14 feet above the lowest point where the sidewalk meets the building line on the facade to which the sign is affixed.
- 6.6.10: Window Sign
1. Window signs are permitted in all zones.
 2. Window signs may not occupy more than 75 percent of the glass to which they are affixed.
 3. Shall not exceed eight inches in height.
 4. Shall only be permitted on ground floor windows.
 5. Signs that are illuminated shall not cover more than ten percent of the window area and shall not flash.
- 6.6.11: Fueling Stations: In addition to the above mentioned signs fueling station may incorporate the following signs into their gas pumps.
1. Fueling stations may place one fueling pump decal on each of the vehicle fueling dispensers (double sided) having a maximum of one square foot in sign area per decal.
 2. Animated TV screens may be incorporated into fueling station pumps with a maximum size of two square feet.
 3. Public safety information signage may be placed under the canopy or next to the appropriate emergency safety areas.
- 6.6.12: Parking garages: Only directional signage shall be permitted. Shall be allowed one wall sign per entrance with no more than two wall signs per street frontage. Pricing signage less than two square feet shall be exempt from this Code.
- 6.6.13: Directory Sign
1. Permitted one per multi-tenant entry point mounted to the building exterior. Size not to exceed four square feet. (Ord. #071816C)



SECTION 7 - STREET STANDARDS

7.1: Intent

The Street Typology Plan, Figure 7.1, illustrates the street network for the Nickel Plate District. Maple Street, Fishers Corner, Municipal Drive, and Lantern Road will be activity centers where slower traffic and a pedestrian scale streetscape shall be the primary focus. Commercial Drive, 116th Street, and the northern and southern ends of Lantern form the major arteries for vehicle travel, while still maintaining pedestrian and bike mobility. Individual road sections are found on the following pages.

Connectivity and streetscape design are key elements of this Code. These road designs interact with the Required First Floor Commercial Space, Figure 1.6, and the Required Street Frontages, Figure 1.7, to create a complete, welcoming streetscape. The right-of-way required for these road designs is also available in Figure 1.5, Required Right-of-Way.

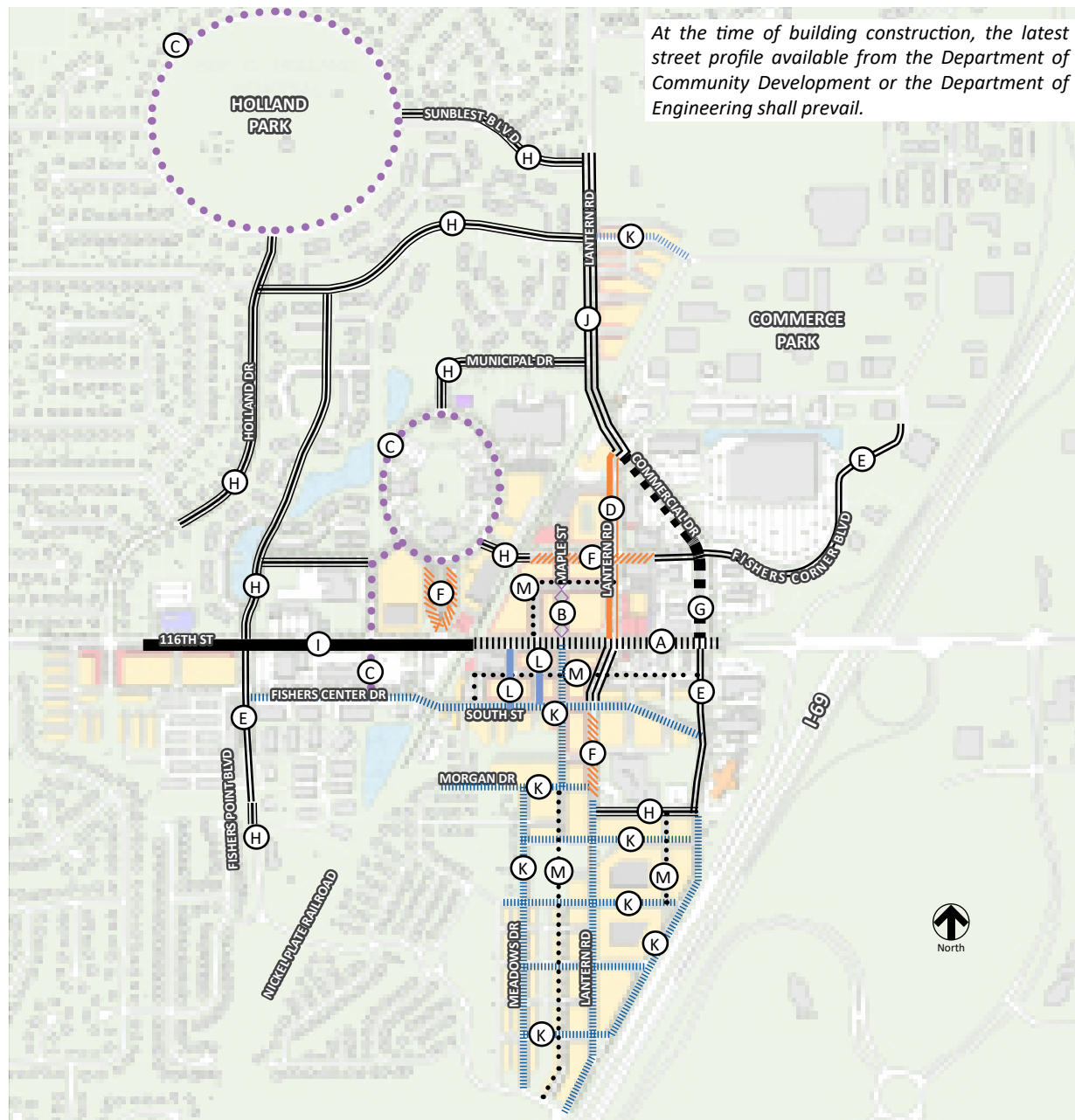
Petitioner's Responsibility:

1. Setbacks are measured from the future right-of-way line.
2. Identify the required right-of-way through Figure 1.5 and through the road designs in Section 7.
3. Construct the sidewalk and streetscape (trees, planting beds, etc.) necessary for the section.
4. Provide temporary connections between the new streetscape to the existing infrastructure.
5. Allow for uncontested dedication of the right-of-way when the street is built out between the existing pavement and the sidewalk as constructed by the petitioner.

LEGEND

TYPE A - 78'	===== TYPE E - 60'	===== TYPE I - 90'
◇◇◇ TYPE B - 80'	//// TYPE F - 92'	===== TYPE J - 56'
●●● TYPE C - 60'	■■■ TYPE G - 84'	TYPE K - 78'
===== TYPE D - 80'	===== TYPE H - 46'	===== TYPE L - 42'
	 TYPE M - 30'	

Figure 7.1: Street Typology Plan (Ord. 011717D, Ord. 091817)



*Street sections are subject to revision by the engineering department. Please discuss during a pre-filing meeting.

7.2: Design Criteria (Ord. 071816C)**7.2.1: Street Trees:**

1. Required at 40 feet on center. Spacing may be increased to 60 feet on center if utility conflicts require additional spacing. (Ord. 071816C)
2. Tree uplights are required unless otherwise approved by Staff. (Ord. 071816C)
3. All street trees require outlets unless otherwise approved by Staff. (Ord. 071816C)

7.2.2: Streetscape:

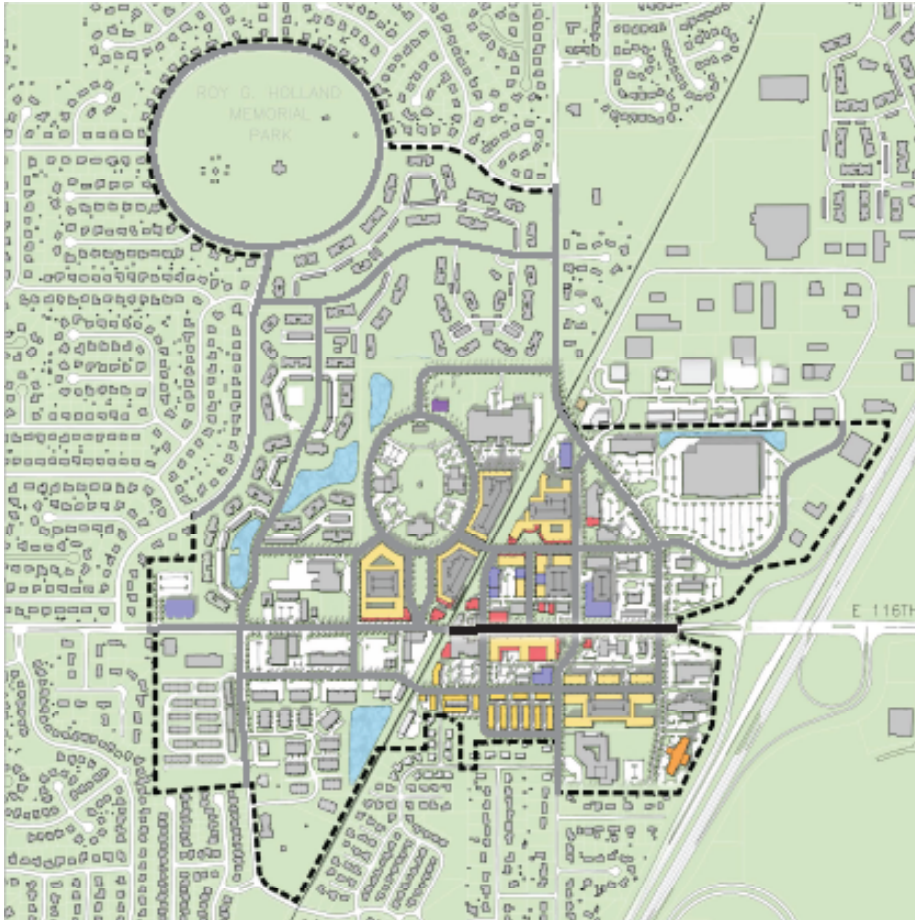
1. Staff will make a determination regarding which streetscape type will be constructed from types A-Type M or Streetscapes 1-5.
2. Sidewalks shall not be obstructed by utility cabinets. Placement of a utility cabinet within the sidewalk shall be approved by Staff. (Ord. 071816C)
3. Steps in the right-of-way must be approved by Staff. Single-riser steps are prohibited in the right-of-way. (Ord. 071816C)
4. Amenities used in the Nickel Plate District, including, but not limited to, street lights, benches, tree grates, and trash receptacles, shall be installed per Fishers' Nickel Plate Standards Book. (Ord. 071816C)
5. Mailboxes shall not be located in the sidewalk. Multi-tenant, apartment style boxes are preferred. Mailboxes should be located on the back of the sidewalk or in a planting area adjacent to the street. (Ord. 071816C)

7.2.3: Lighting:

1. Street lights are required at 40 feet on center. (Ord. 071816C)
2. Post lights may be used in residential and live work areas with Staff approval. Street lights are still required at intersections and pedestrian crossing locations. (Ord. 071816C)

See Administration for waivers. (Ord. 071816C)

Type A

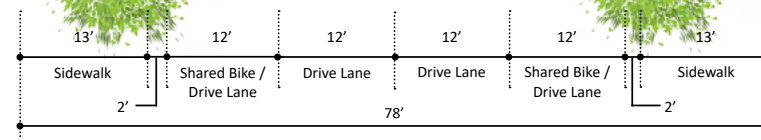


Vicinity

Category.....	Regional	Curb Type	Vertical
Movement	Free	Curb Radius	15 ft.
R.O.W. Width	78 ft.	Sidewalk Width..	15 ft.
Travel Lanes	4 Lanes	Planter Size ...	Per Landscape Regulations
Parking	None	Planter Type	Bed or Elevated Planter
Median	None		

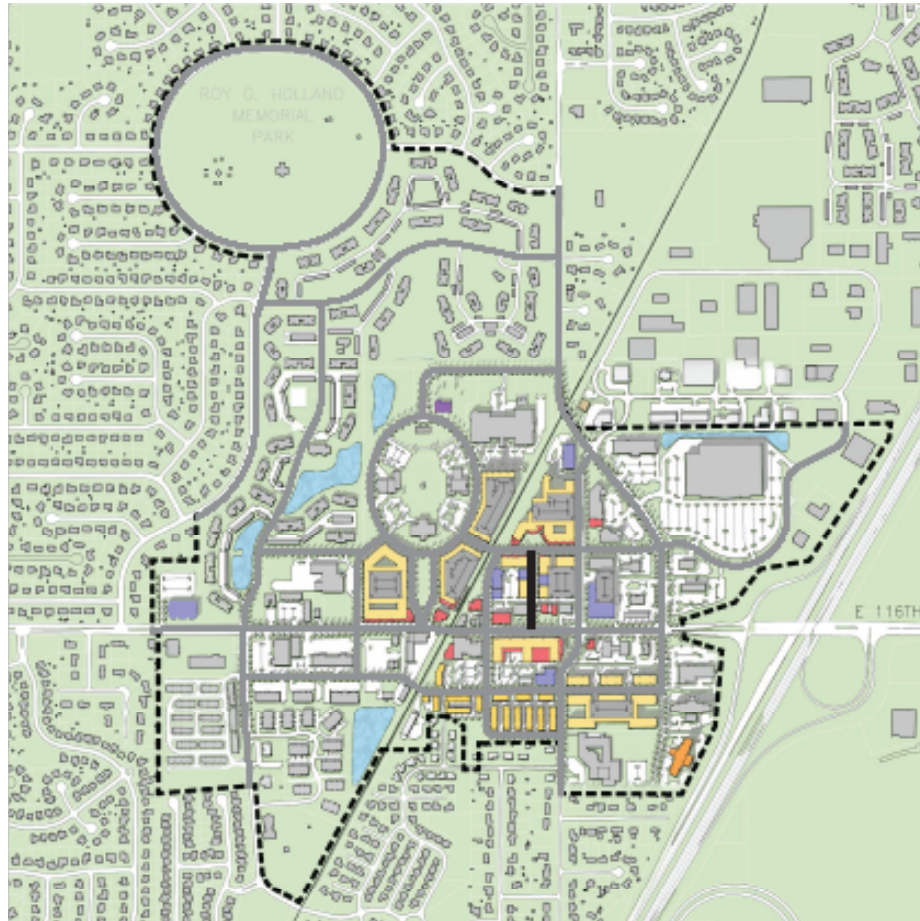


Section/Perspective



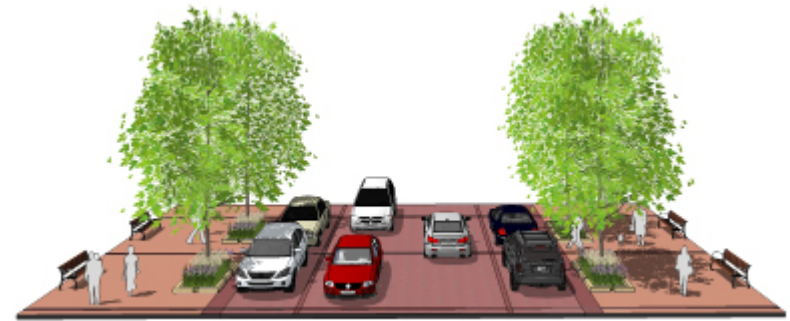
Plan

Type B

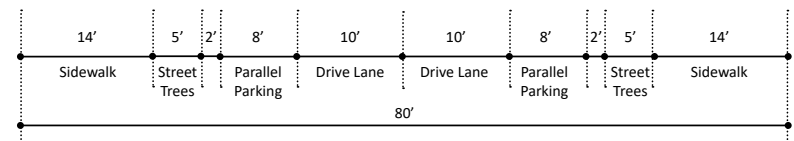
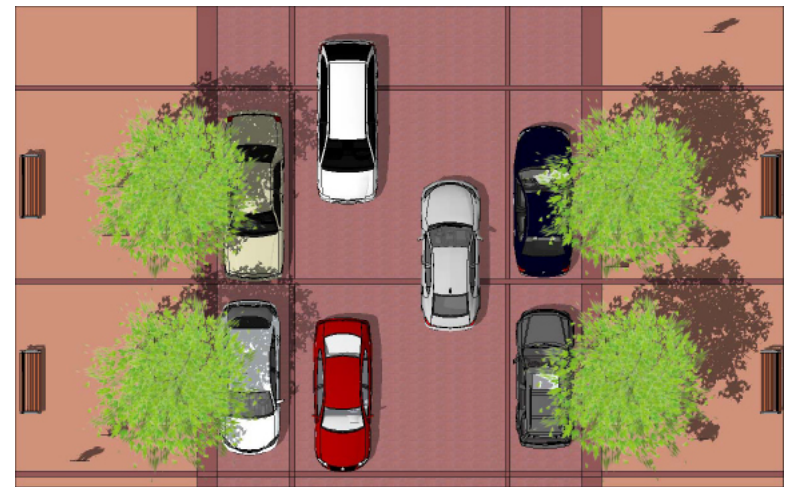


Vicinity

Category.....	Local	Curb Type	Flush
Movement	Slow	Curb Radius	10 ft.
R.O.W. Width	80 ft.	Sidewalk Width..	21 ft.
Travel Lanes	2 Lanes	Planter Size ...	Per Landscape Regulations
Parking	Both Sides at 8 ft., Marked	Planter Type	Rain Garden
Median	None		



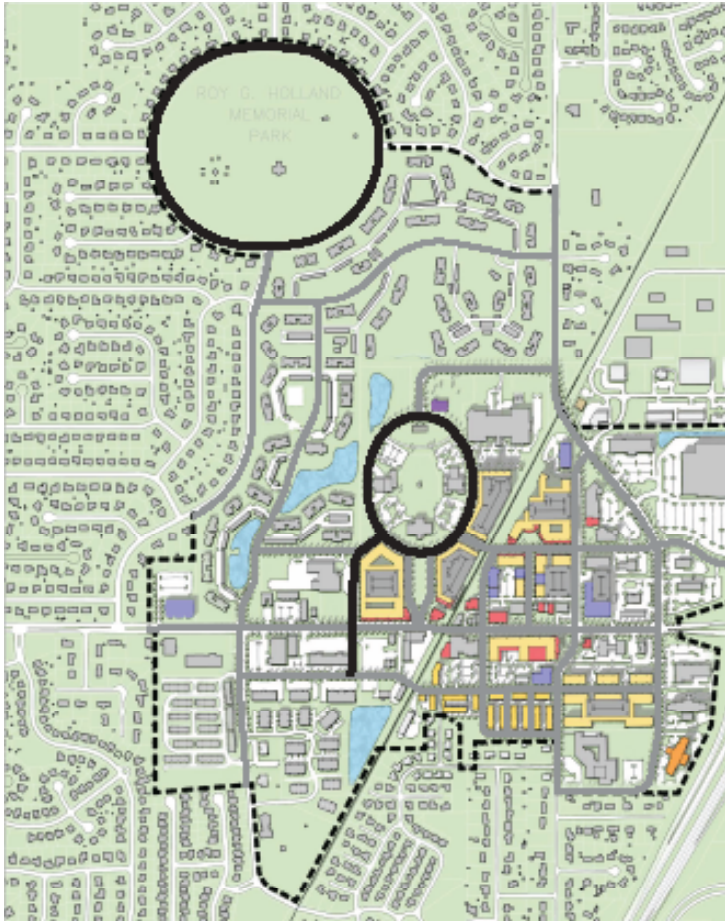
Section/Perspective



Plan

The fourteen (14) foot sidewalk shall be replaced with eight (8) feet, which will result in a total sidewalk width of fifteen feet (15 ft.). (Ord. 110514C)

Type C (Ord. 071816C)



Vicinity

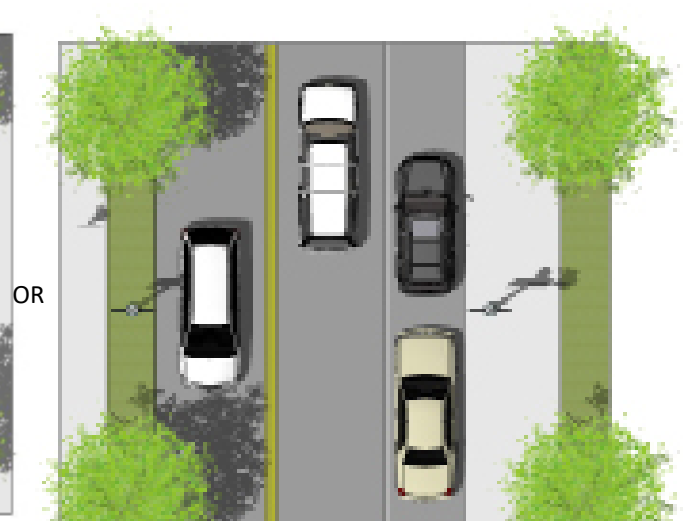
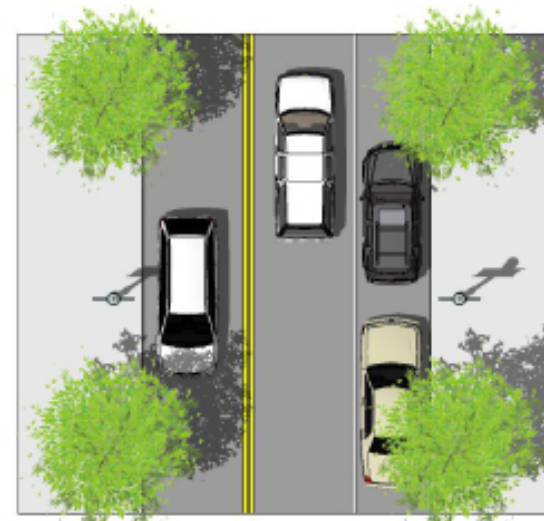
Category.....	Collector	Curb Type	Vertical
Movement	Free	Curb Radius	10 ft.
R.O.W. Width	54 ft.	Sidewalk Width..	Varies
Travel Lanes	2 Lanes	Planting Strip ...	Varies
Parking	One Side at 8 ft., Marked	Planter Type	Continuous Tree Lawn
Median	None		



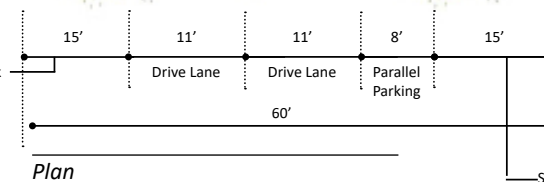
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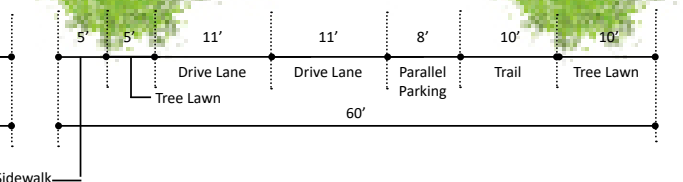
OR



OR



Plan



Type D (Ord. 071816C)

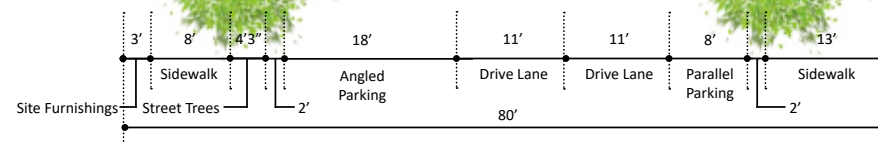


Vicinity

Category.....	Regional	Curb Type	Vertical
Movement	Free	Curb Radius	15 ft.
R.O.W. Width	80 ft.	Sidewalk Width..	Varies
Travel Lanes	2 Lanes	Planter Width ...	Per Landscape Regulations
Parking	Two Sides, Marked, See Plan	Planter Type	Bed or Elevated Planter
Median	None		

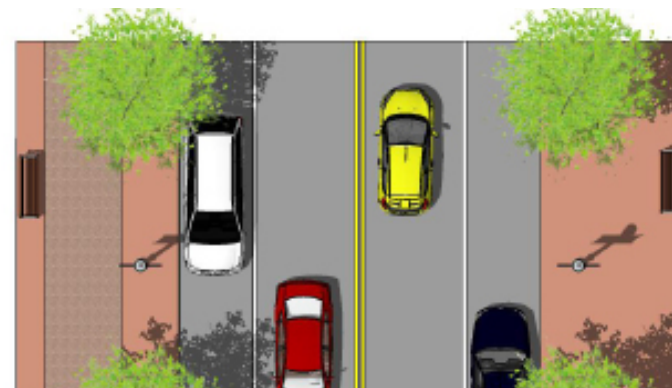


Section/Perspective

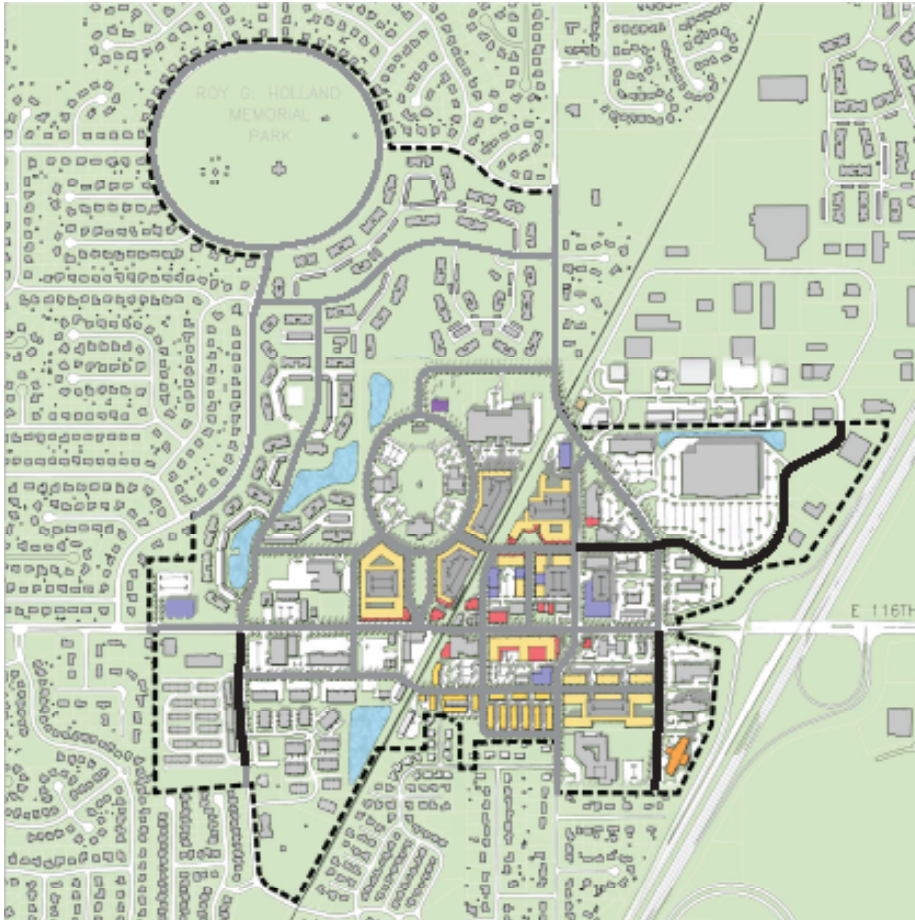


Plan

OR 8'
Parallel
Parking



Type E

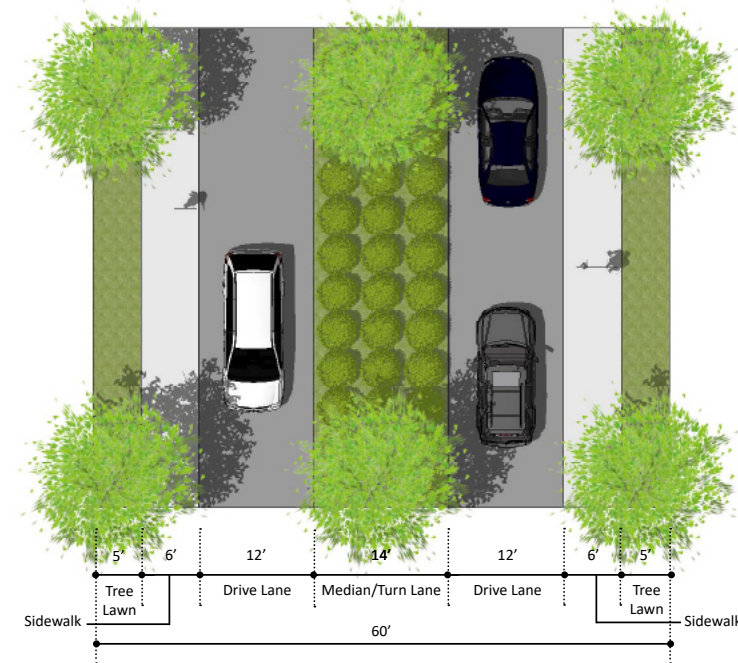


Vicinity

Category.....	Collector	Curb Type	Vertical
Movement	Slow	Curb Radius	5 ft.
R.O.W. Width	60 ft.	Sidewalk Width..	6 ft.
Travel Lanes	2 Lanes	Planting Strip ...	5 ft.
Parking	None	Planter Type	Continuous Tree Lawn
Median	14' Planted with Turn Lane		

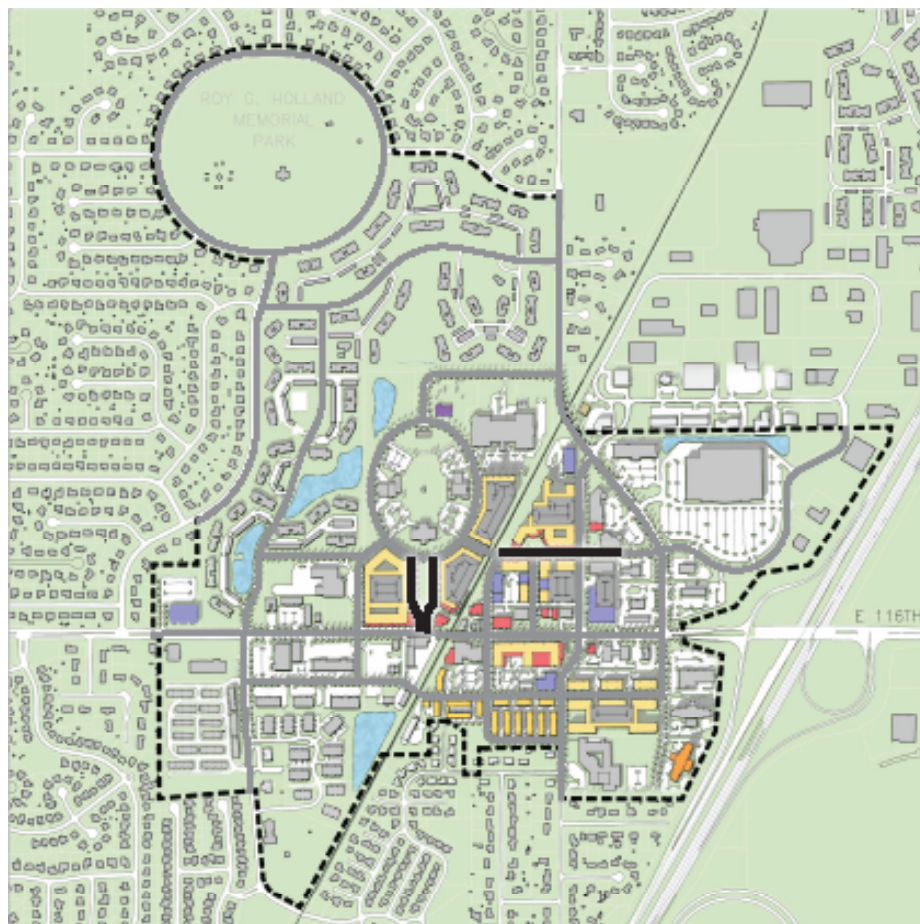


Section/Perspective



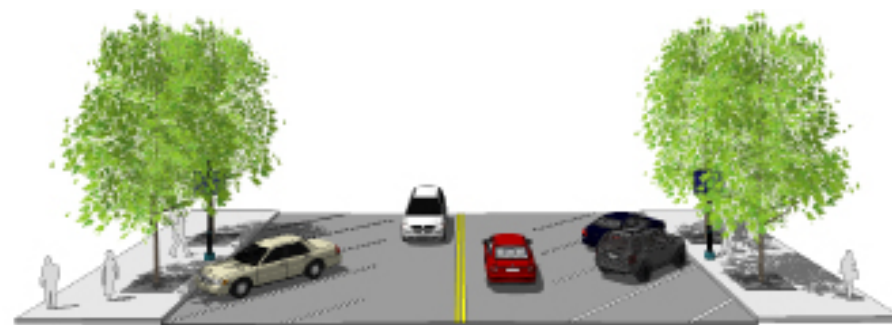
Plan

Type F

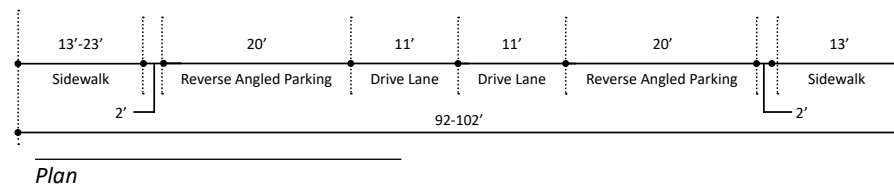
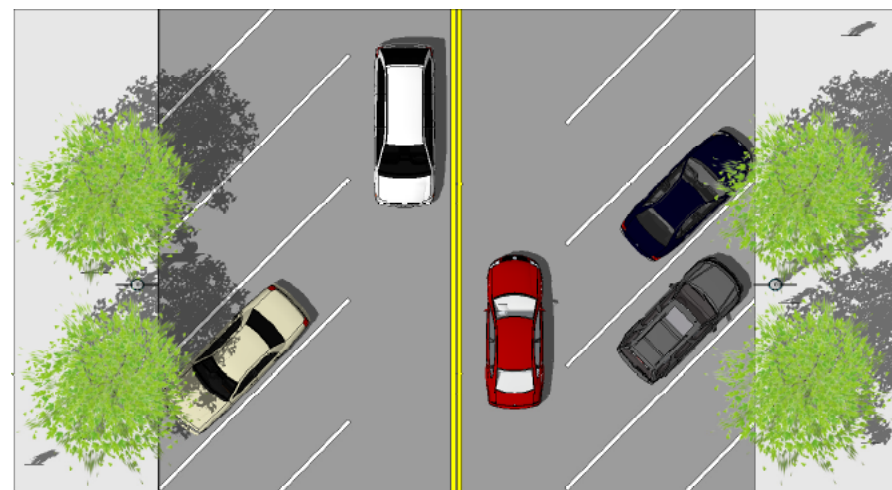


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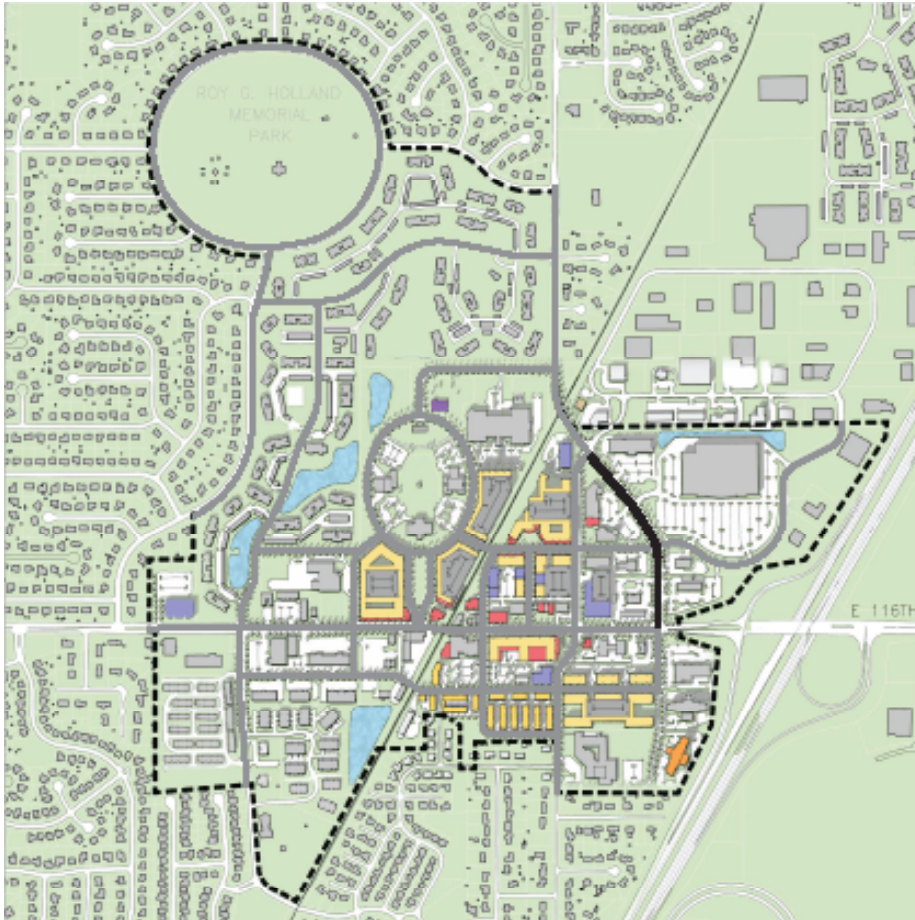
Category.....	Collector	Curb Type	Vertical
Movement	Slow	Curb Radius	5 ft.
R.O.W. Width	92-102 ft.	Sidewalk Width..	15 ft.
Travel Lanes	2 Lanes	Planter Size ...	Per Landscape Regulations
Parking	Both Sides at 20 ft., Marked	Planter Type	Grate
Median	None		



Section/Perspective



Type G

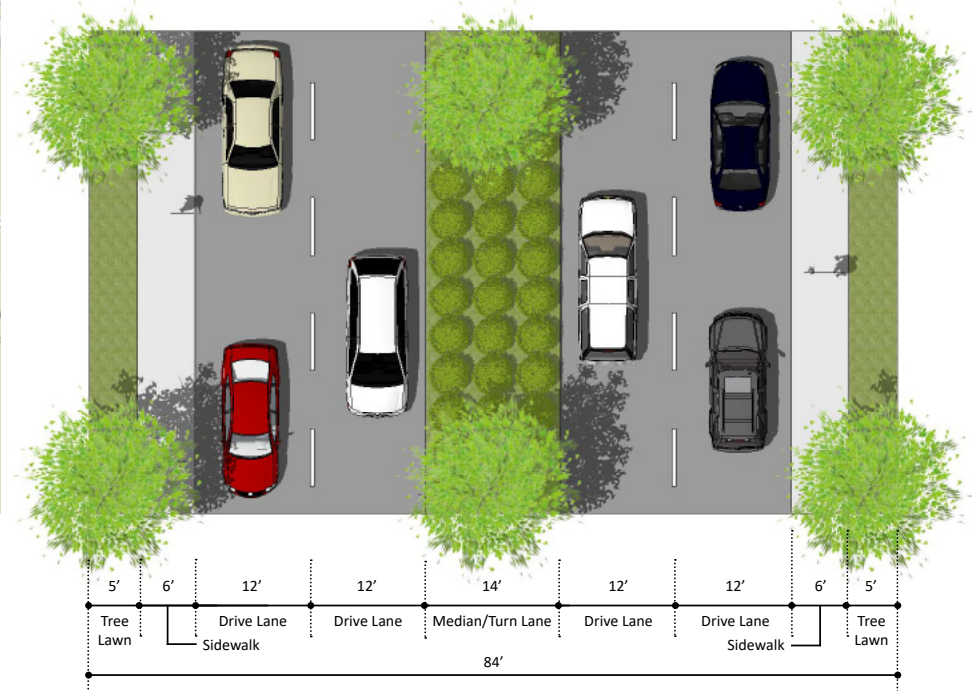


Vicinity

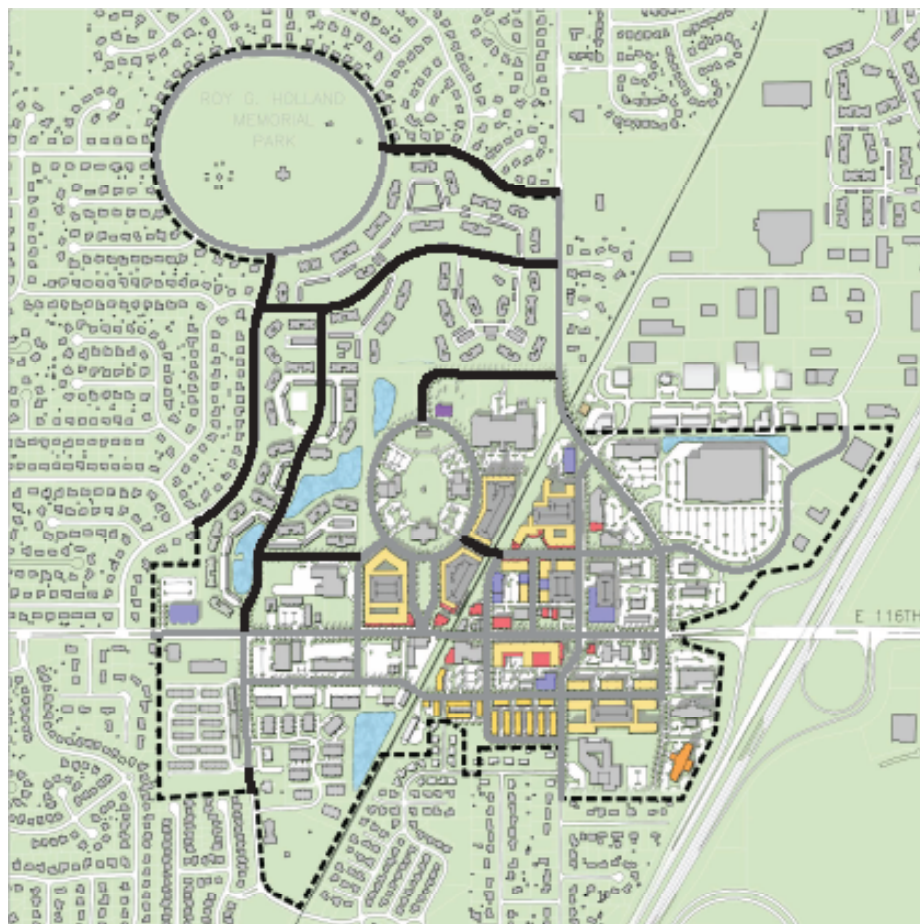
Category.....	Collector	Curb Type	Vertical
Movement	Free	Curb Radius	10 ft.
R.O.W. Width	84 ft.	Sidewalk Width..	6 ft.
Travel Lanes	4 Lanes	Planting Strip ...	5 ft.
Parking	None	Planter Type	Continuous Tree Lawn
Median	14 ft. Planted with Turn Lane		



Section/Perspective



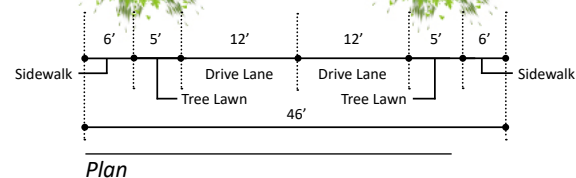
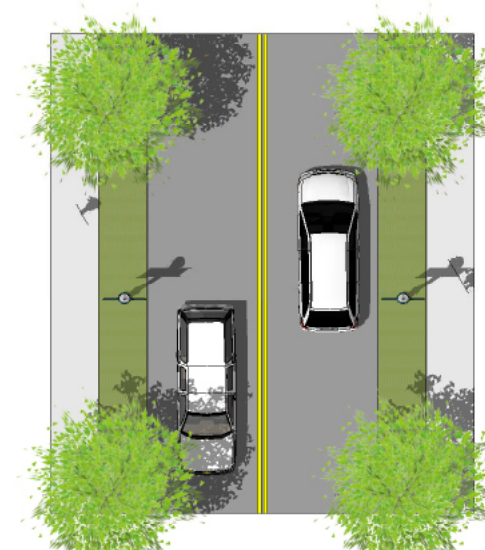
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Vicinity

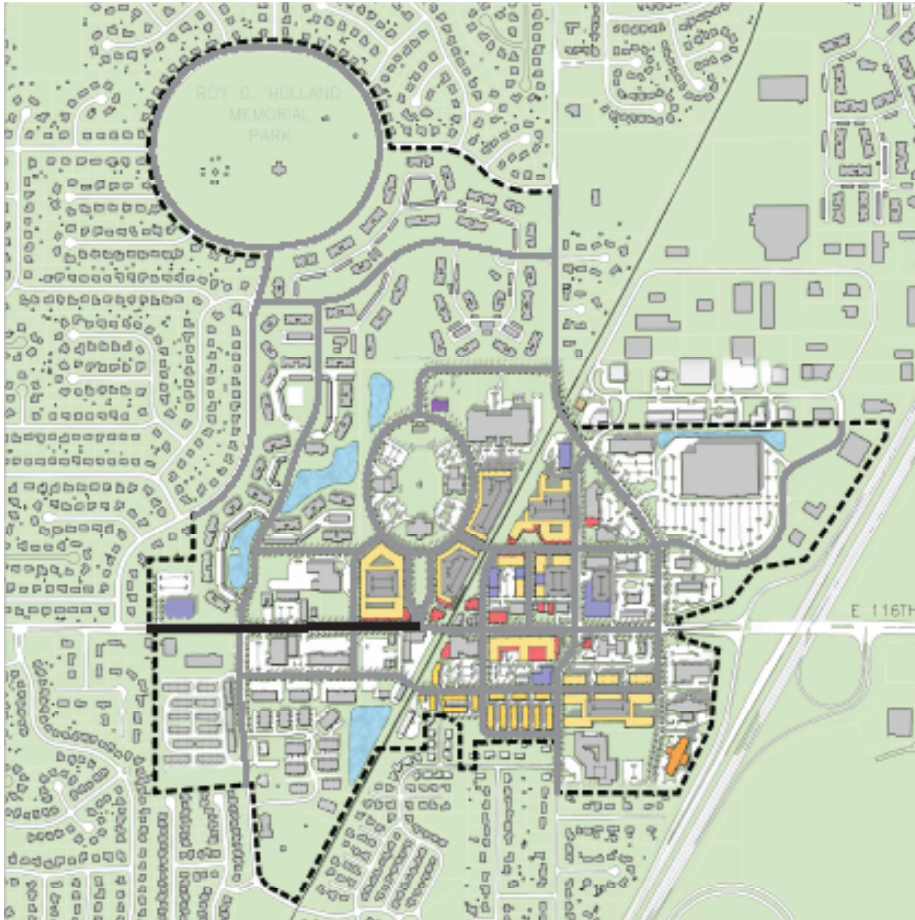


Section/Perspective



Category.....	Collector	Curb Type	Vertical
Movement	Free	Curb Radius	15 ft.
R.O.W. Width	46 ft.	Sidewalk Width..	6 ft.
Travel Lanes	2 Lanes	Planting Strip ...	5 ft.
Parking	None	Planter Type	Continuous Tree Lawn
Median	None		

Type I

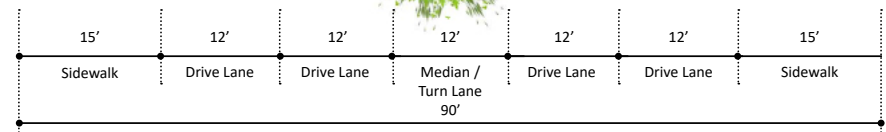
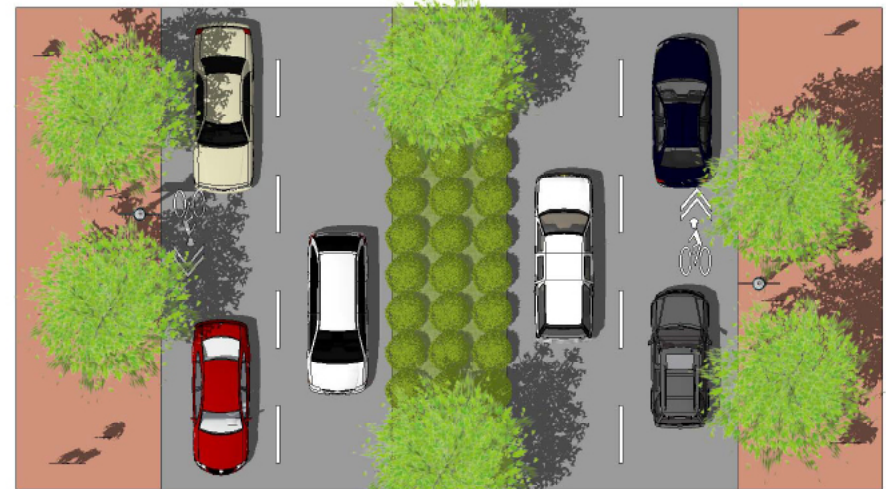


Vicinity

Category.....	Regional	Curb Type	Vertical
Movement	Free	Curb Radius	15 ft.
R.O.W. Width	90 ft.	Sidewalk Width..	15 ft.
Travel Lanes	4 Lanes	Planting Strip	Tree grates and median
Parking	None	Planter Type	Grate
Median	12 ft. Planted with Turn Lane		

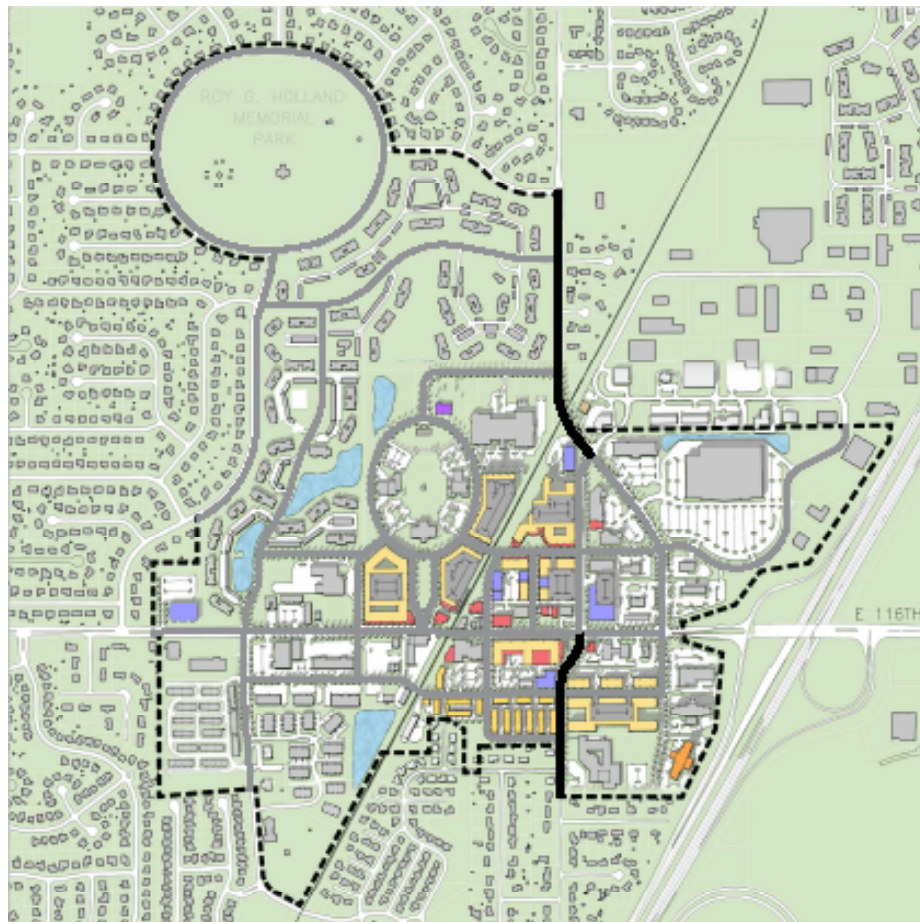


Section/Perspective



Plan

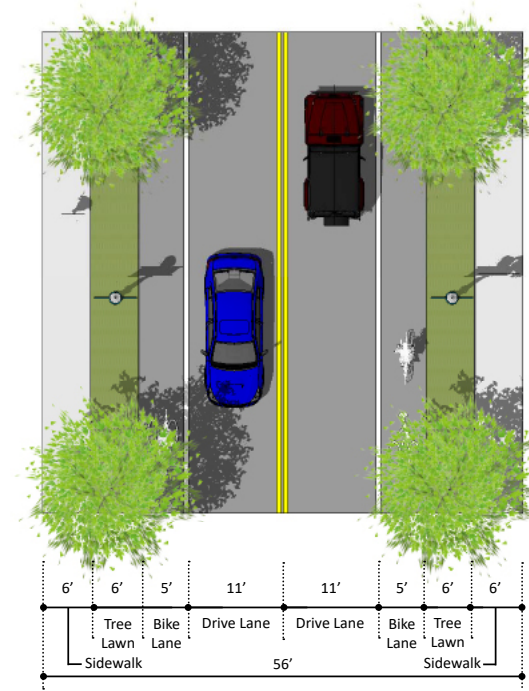
Type J (Ord. 071816C)



Vicinity



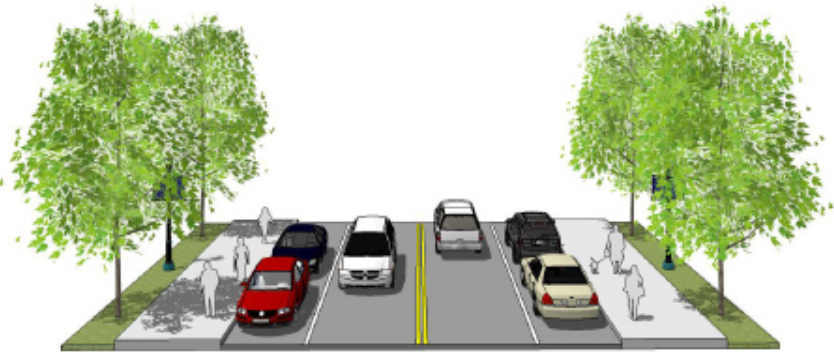
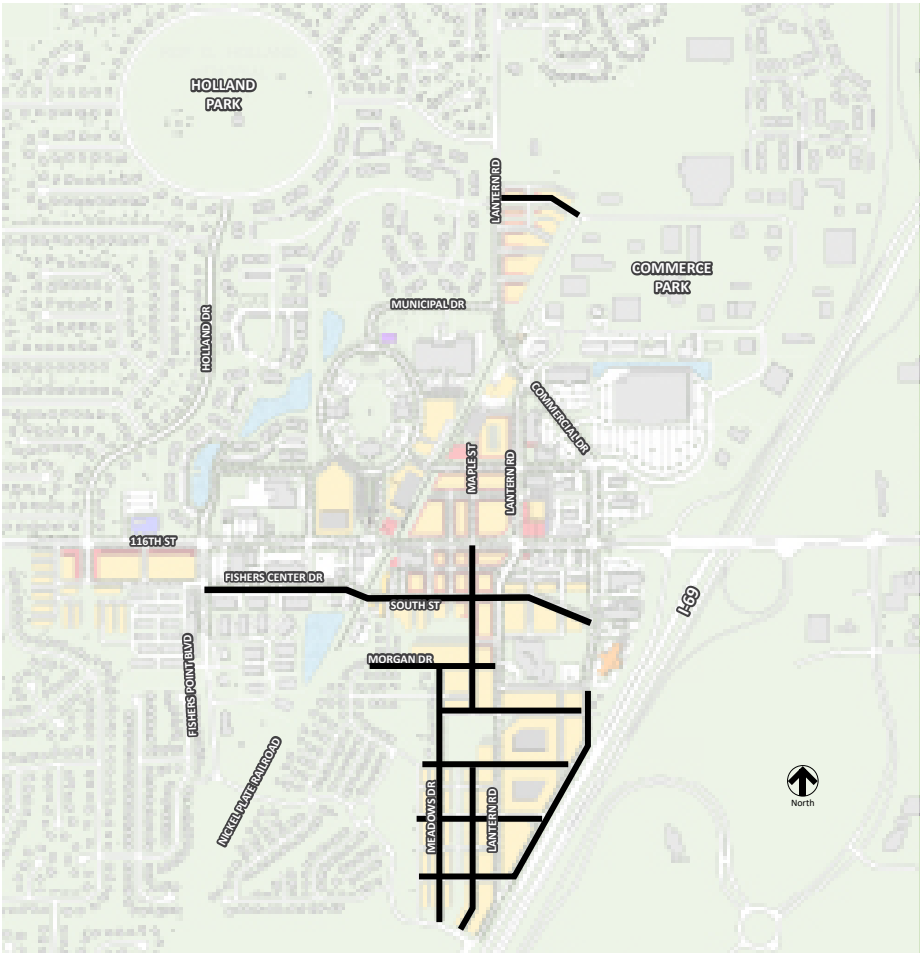
Section/Perspective



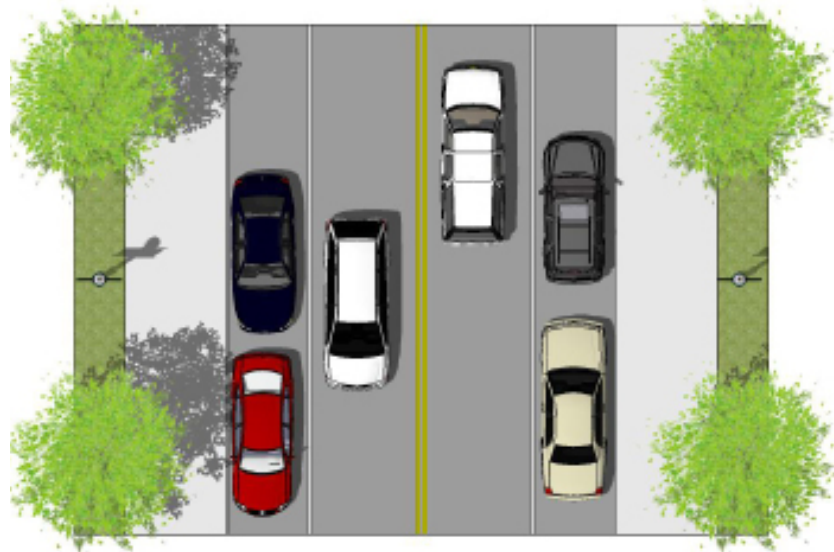
Plan

Category.....	Regional	Curb Type	Vertical
Movement	Free	Curb Radius	15 ft.
R.O.W. Width	54 ft.	Sidewalk Width..	6 ft.
Travel Lanes	2 Lanes	Planting Strip ...	6 ft.
Parking	None	Planter Type	Continuous Tree Lawn
Median	None		

Type K (Ord. 071816C, Ord. 091817)



Section/Perspective



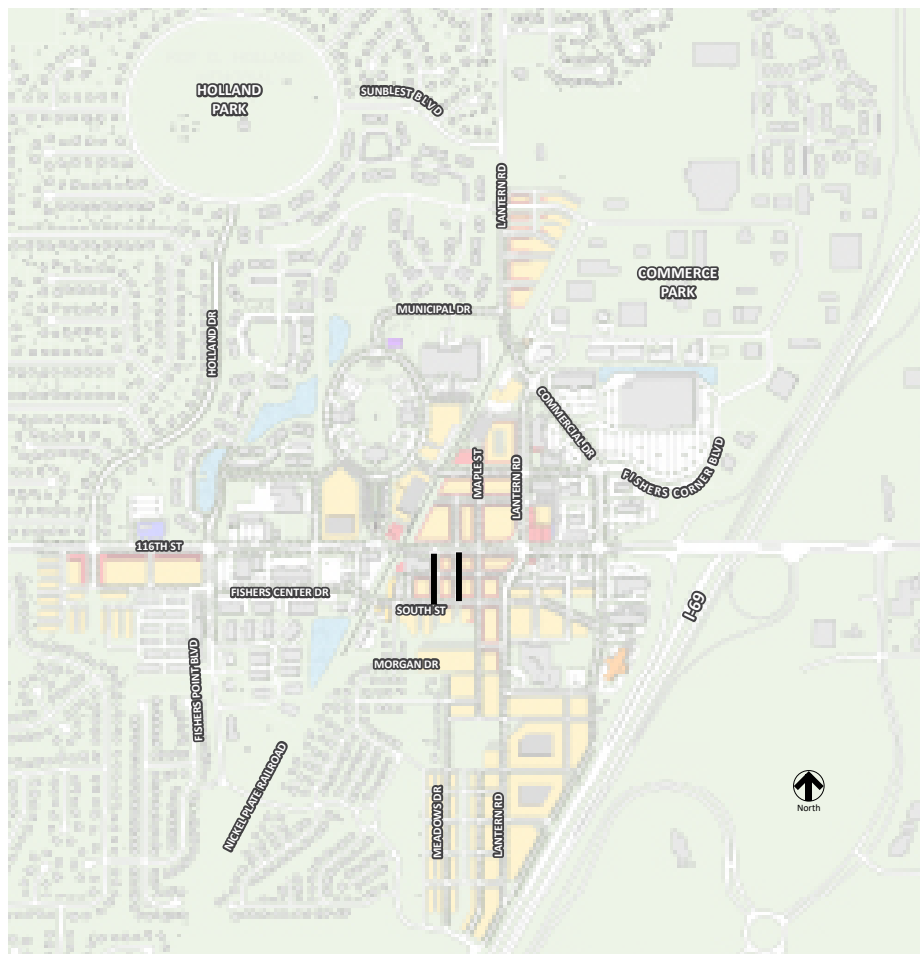
10'	8'	8'	11'	11'	8'	8'	10'
Tree Lawn	Sidewalk	Parking	Drive Lane	Drive Lane	Parking	Sidewalk	Tree Lawn
74'							

Plan

Vicinity

Category.....	Regional	Curb Type	Vertical
Movement	Free	Curb Radius	10 ft.
R.O.W. Width	78 ft.	Sidewalk Width..	10 ft.
Travel Lanes	2 Lanes	Planting Strip	10 ft.
Parking	Both Sides	Planter Type	None
Median	None		

Type L (Ord. 071816C)

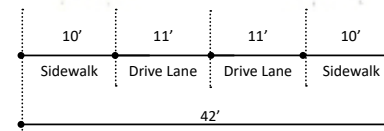
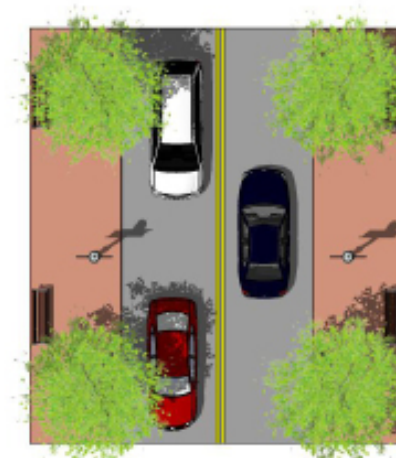


Vicinity

Category.....	Regional	Curb Type	Vertical
Movement	Slow	Curb Radius	15 ft.
R.O.W. Width	42 ft.	Sidewalk Width..	10 ft.
Travel Lanes	2 Lanes	Planting Strip ...	Tree Grates
Parking	None	Planter Type	Continuous Tree Lawn
Median	None		

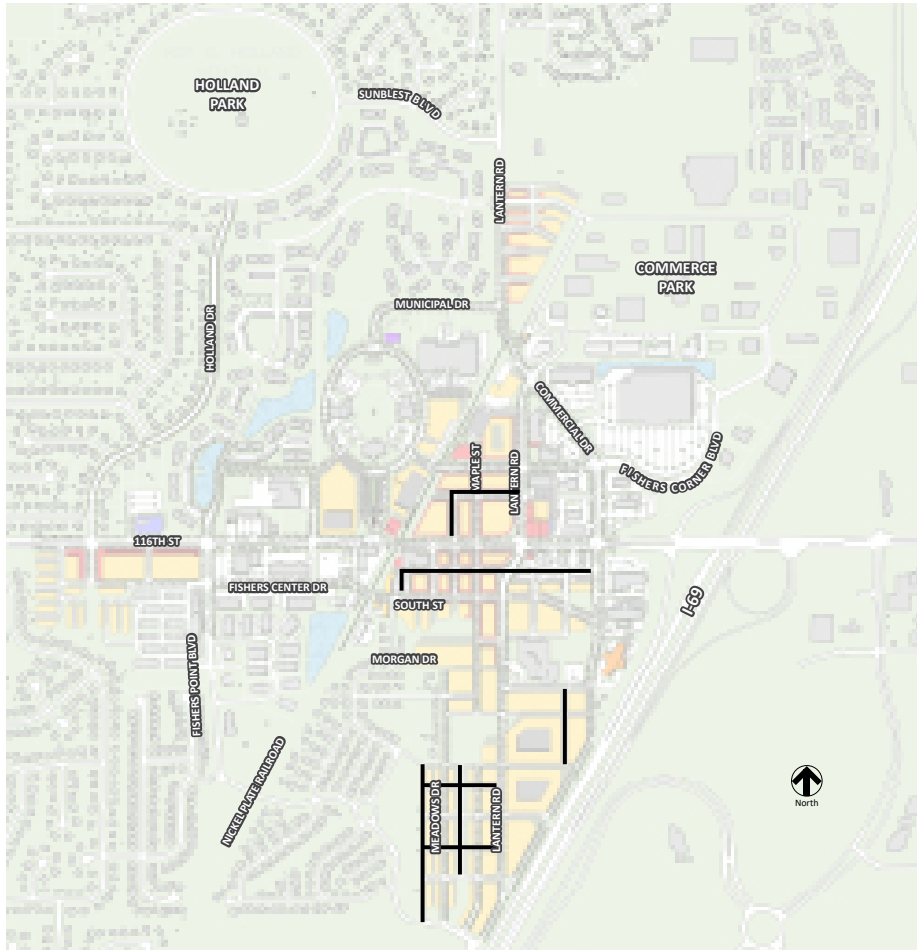


Section/Perspective



Plan

Type M (Ord. 071816C)

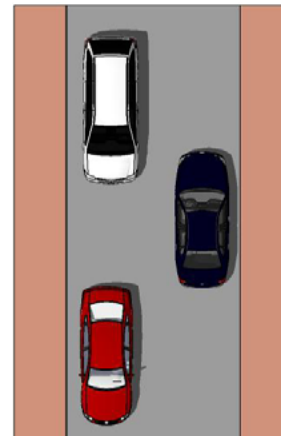


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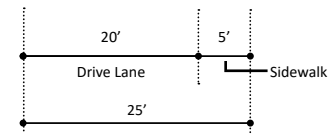
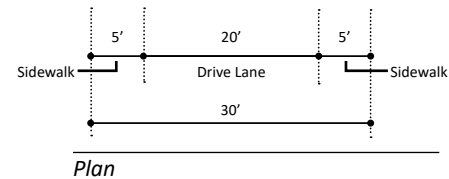
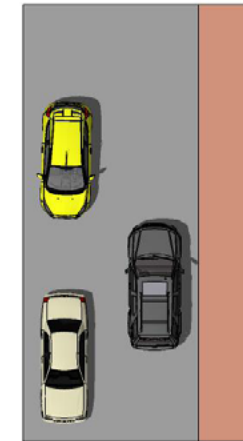
Category.....	Local/Alley	Curb Type	Vertical or none
Movement	Slow	Curb Radius	10 ft.
R.O.W. Width	25-30 ft.	Sidewalk Width..	5 ft.
Travel Lanes	2 Lanes	Planting Strip	None
Parking	None	Planter Type	None
Median	None		



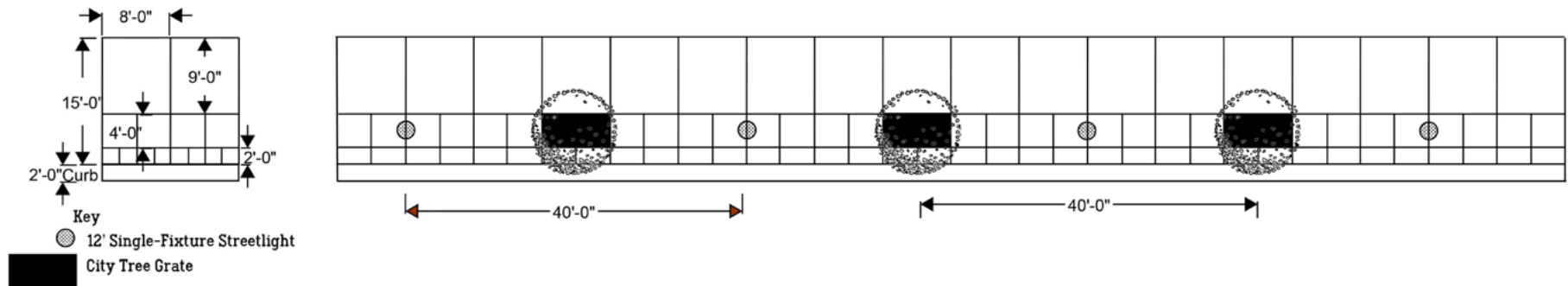
Section/Perspective



OR

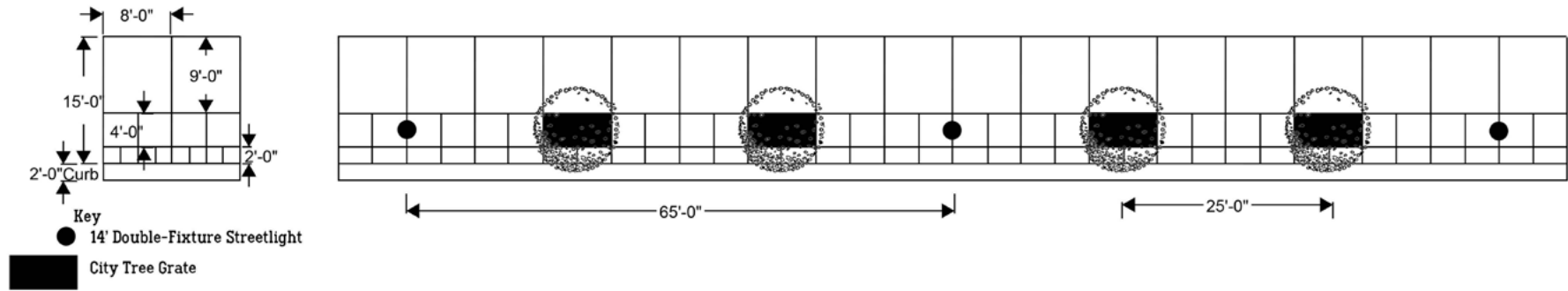


7.3: Streetscape 1: Urban



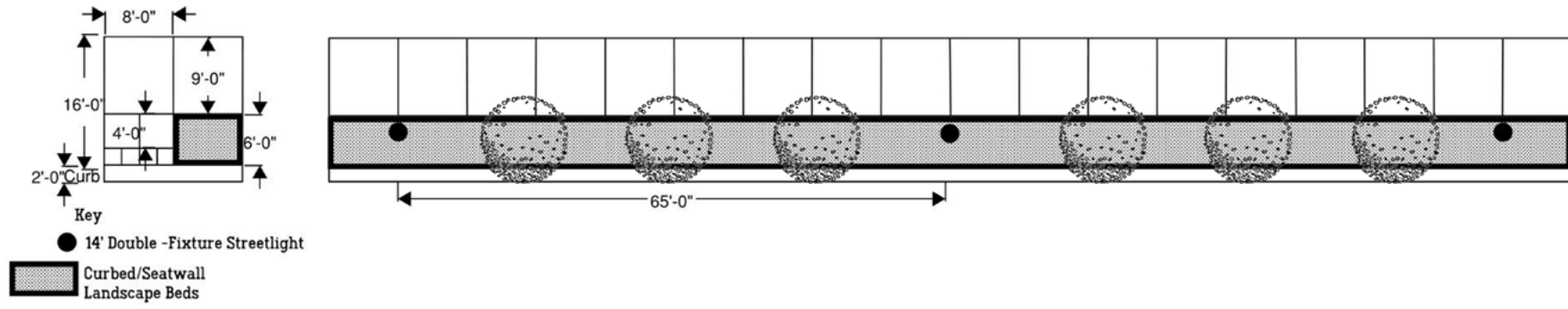
Streetscape 1 Requirements	
Curb Type	2' wide vertical curb
Sidewalk Width	9'
Planter Strip	4' wide hardscape
Planter Spacing	40' on center
Planter Type	City tree grate
Lighting Type	12' height single-fixture streetlight
Lighting Spacing	40' on center

7.4: Streetscape 2: 116th Street



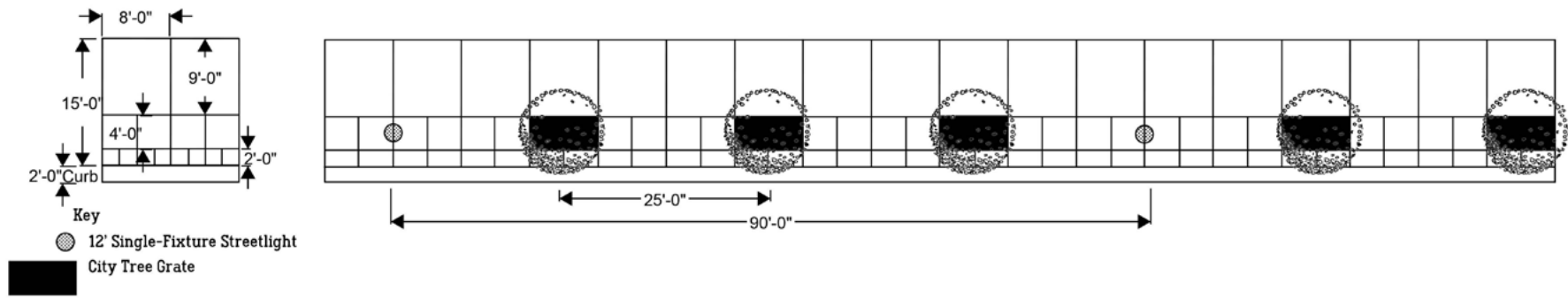
Streetscape 2 Requirements	
Curb Type	2' wide vertical curb
Sidewalk Width	9'
Planter Strip	4' wide hardscape
Planter Spacing	25' on center between street lights
Planter Type	City tree grate
Lighting Type	14' height double-fixture streetlight
Lighting Spacing	65' on center

7.5: Streetscape 3: 116th Street Alternative



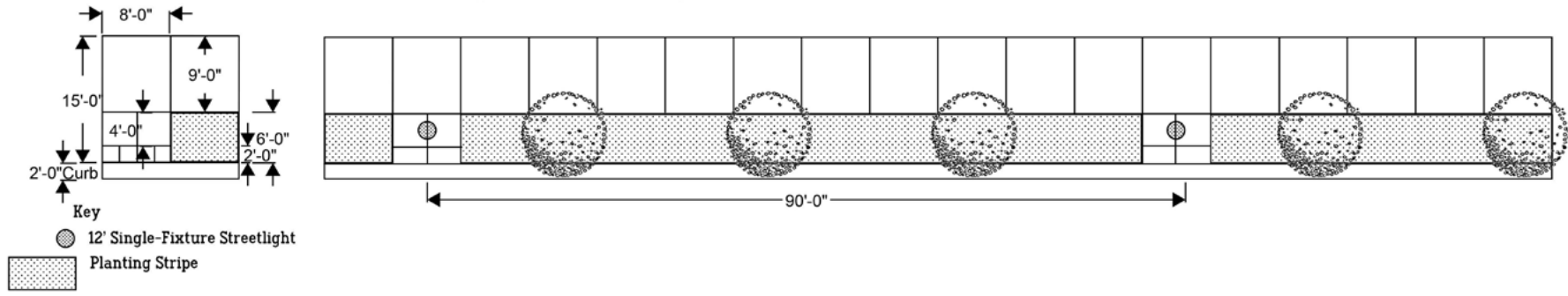
Streetscape 3 Requirements	
Curb Type	2' wide vertical curb
Sidewalk Width	9'
Planter Strip	6'
Planter Spacing	Min. 3 Trees between streetlights and native plantings
Planter Type	Curbed Planting Strip and/or Seat Wall
Lighting Type	14' height double-fixture streetlight
Lighting Spacing	65' on center

7.6: Streetscape 4: Neighborhood



Streetscape 4 Requirements	
Curb Type	2' wide vertical curb
Sidewalk Width	9'
Planter Strip	4' wide hardscape strip
Planter Spacing	25' on center, 3 planters between street lights
Planter Type	City tree grate
Lighting Type	12' height single-fixture streetlight
Lighting Spacing	90' on center

7.7: Streetscape 5: Neighborhood Alternative



Streetscape 5 Requirements	
Curb Type	2' wide vertical curb
Sidewalk Width	9'
Planter Strip	4' wide landscape strip
Planter Spacing	25' on center, 3 planters between street lights
Planter Type	Planting strip
Lighting Type	12' height single-fixture streetlight
Lighting Spacing	90' on center



SECTION 8 - ADMINISTRATION

8.1: Interpretation

8.1.1: Interpretation: This Article shall be referred to as Nickel Plate District Code or the Code. Notwithstanding any other provision in the Unified Development Ordinance, in the event of any conflict between any provision of the Nickel Plate District Code and any other provision of the Unified Development Ordinance, the Nickel Plate District Code shall control with respect to the Nickel Plate District only. In the event the Nickel Plate District Code is silent as to fees, permits, sign regulations, or any other similar provision relating to development standards, the applicable provision of the Unified Development Ordinance shall control.

8.2: Review

8.2.1: Purpose & Intent: The review procedure set out herein is conducted under the direction of the Department of Community Development to ensure compliance with the objective development standards of the Nickel Plate District Code and the Unified Development Ordinance. It is the intent of this section to:

1. Off-set the high level of detailed standards in the Nickel Plate District with an efficient process for approval of projects that meet the general goals, vision, and intent of the Nickel Plate District; and
2. Ensure consistency and quality of design through use of professional review procedures.

8.2.2: Nickel Plate Review Committee Established: There is hereby created the Nickel Plate Review Committee (Nickel Plate Review Committee). The purpose of the Nickel Plate Review Committee is to aid in the review and approval of all projects within the Nickel Plate District and the City Center Residential District.

8.2.3: Pre-submittal Meeting: Prior to submitting an application, the petitioner shall meet with the Department of Community Development to review the zoning classification of the site, applicable regulations, and procedures, and examine the proposed use and development of the property. The Department of Community Development shall assist the petitioner in preparing the application and supportive documents as necessary.

8.2.4: Applicability: Proposed projects located in the Nickel Plate District and the City Center Residential Zoning District are required to be reviewed by the Nickel Plate Review Committee pursuant to Section 8.2.9.4, Nickel Plate Review Committee (Nickel Plate Review Committee). As used in Section 8, Administration, the terms “proposed project” or “project” refer to any remodel, alteration, or similar construction project that involves removal, alteration, or substantial revision of fifty percent (50%) or more of the exterior or façade of any structure. (Ord. 110514C)

8.2.5: Application:

1. *Filing Deadline:* The petitioner shall refer to the Schedule of Meeting Dates included in the application packet to determine the filing deadline for any given meeting of the Nickel Plate Review Committee.
2. *Application Packet:* The petitioner shall submit the completed application to the Department of Community Development.
3. *Supporting Information:* The application shall include the following documents:
 - a. *Pre-submittal Meeting:* The application shall include all documentation specified by the Department of Community Development during the pre-submittal meeting.
 - b. *Application Packet:* The application shall include all documentation specified on the application packet unless waived by the Department of Community Development due to the specific circumstances of the particular project.
 - c. *Additional Information:* Such other additional information as may be required by the Department of Community Development or other members of the Technical Advisory Committee to evaluate the application. This may include material samples and three dimensional modeling of the development proposal showing massing of the proposal as it relates to adjacent structures.

8.2.6: Fees: Per the Fishers fee ordinance.

8.2.7: Department of Community Development:

1. *Review:* The Department of Community Development shall review a petition upon receipt of a complete application, supporting documents, and payment of the applicable fees.

2. *Complete Submittal*: Once the Department of Community Development has determined that the petitioner has submitted a complete application, the Department of Community Development shall:
 - a. Docket Number: Assign a docket number;
 - b. Agenda: Place the item on an agenda of the Nickel Plate Review Committee and/or the Technical Advisory Committee;
 - c. Notification: Inform the petitioner of the time, date, and place of the Nickel Plate Review Committee meeting or Technical Advisory Committee meeting.
3. *Technical Advisory Committee*: Once the Department of Community Development has processed a complete submittal as outlined above, the Department of Community Development shall place the item on an agenda of the Technical Advisory Committee and inform the petitioner of the time, date, and place of the meeting.
4. *Inspection*: The Department of Community Development may inspect at any reasonable time any structure, other improvement, or site that is the subject of a Nickel Plate District petition.
5. *Department Report*: The Department of Community Development shall prepare a written report outlining its findings with respect to the project.
6. *Surety Requirement*: In conjunction with the approval of a Nickel Plate District project, the petitioner shall provide financial surety for all public improvements pursuant to *Article 10; §Surety Standards*.
7. *Record*: The Department of Community Development shall maintain records of all applications, plans, and permits filed for a Nickel Plate District review.

8.2.8: Technical Advisory Committee (TAC):

1. *Determination*: The Technical Advisory Committee shall review Nickel Plate District Code projects that have been forwarded by the Department of Community Development.
2. *Copies*: The petitioner shall refer to the application packet to determine the format and number of copies of the plans to be delivered to the Department of Community Development for distribution to the members of the Technical Advisory Committee.

3. *Meeting Date*: The petitioner shall refer to the Schedule of Meeting Dates to determine the filing deadline for any given meeting of the Technical Advisory Committee. Incomplete submittals may result in the application being held off the Technical Advisory Committee agenda to allow the petitioner time to submit a completed application.
4. *Attendance*: The petitioner and the project engineer are required to be present at the Technical Advisory Committee meeting to address and discuss comments and concerns posed by the committee members. Failure to appear may result in continuance.
5. *Revisions*: Following Technical Advisory Committee review, the petitioner shall submit revised copies of the plans that address the comments and concerns of the Technical Advisory Committee. The petitioner shall refer to the application packet to determine the format and number of copies of the revised plans to be delivered to the Department of Development.

8.2.9: Nickel Plate Review Committee:

1. Nickel Plate Review Committee: The Nickel Plate Review Committee membership shall be established by Ordinance 041816F, as amended. (Ord. 071816C)
2. Submittal: The petitioner shall refer to the application packet to determine the format and number of copies of the informational packet to be delivered to the Department of Community Development for distribution to the members of the Nickel Plate Review Committee. Incomplete submittals shall result in the petition being removed from the agenda to allow the petitioner time to complete the submittal. Materials submitted by the petitioner after the informational packets have been distributed shall be provided to Committee members at the discretion of the Department of Community Development according to the Plan Commission Rules of Procedure. (Ord. 110514C)
3. *Attendance*: The petitioner is required to be present at the Nickel Plate Review Committee meeting to address and discuss comments and concerns posed by the Nickel Plate Review Committee members. Failure to appear may result in the petition being dealt with as outlined in the Plan Commission Rules of Procedure.

4. *Review:* Projects requiring Nickel Plate Review Committee review are;
 - a. Any proposal that does not comply with any of the standards of the Nickel Plate District Zoning Code require review by the Nickel Plate Review Committee, unless the granting of a minor waiver(s), per Section 8.2.11.4.a, bring the proposal into compliance.
 - b. Any project that requires a major waiver pursuant to Section 8.2.11.5, *Major Waivers*.
 - c. Any project that includes any of the following uses in the Downtown Core Zone:
 - i. Residential dwelling: Total units above 30 (Ord. 071816C)
 - ii. Retail/Service: Greater than 20,000 square feet gross floor area
 - iii. Any proposal adjacent to a property that is within the Village Center District and is residential in use
 - iv. Any proposal adjacent to a school
 - d. Any project that includes any of the following uses in the Municipal Center Zone:
 - i. Residential dwelling: Total units above 30 (Ord. 071816C)
 - ii. Retail/Service: Greater than 20,000 square feet gross floor area
 - e. Any project that includes any of the following uses in the Highway Center Zone:
 - i. Retail/Service: Greater than 40,000 square feet gross floor area
 - ii. Any proposal adjacent to the Village Center District or residential zoning district
 - iii. Any proposal adjacent to a school
 - f. Any project that includes any of the following uses in the Village Center Zone:
 - i. Residential dwelling: Total units above 10 (determined by plat submittal) (Ord. 071816C) For single-family homes that have been approved through plat by the Nickel Plate Review Committee, staff may approve architecture that is consistent with designs presented during review of the plat. (Ord. 011717D)
 - ii. Any proposed retail or service use:
 - iii. Any proposal adjacent to a residential zoning district
 - iv. Any proposal adjacent to a school
 - g. Any project that includes any of the following uses in the City Center Residential Zoning District:
 - i. Residential dwelling: More than one unit
5. *The Nickel Plate Review Committee shall base its review on the following criteria:*
 - a. Conformance with the intent of the Nickel Plate District Code;
 - b. Thorough design that addresses circulation both inside and around the site; (Ord. 110514C)
 - c. Appropriate use of the space designated for the public and conformance with Section 7, Street Standards and Section 3, Landscape Regulations; (Ord. 110514C)
 - d. Conformance with Section 2, Architecture Regulations; (Ord. 110514C)
 - e. Material and color usage that is similar, but not necessarily identical, to neighboring projects as proposed in the Master Plan; (Ord. 110514C)
 - f. Harmony and compatibility with surrounding development;
 - g. Conformance with Section 4, Parking Regulations, and incorporation of logical Circulation both internally and through the site. This is for both pedestrian and vehicular traffic, including service and delivery in accordance with the Nickel Plate District Code and the Transportation Plan, as amended. (Ord. 110514C)

6. *Decision:* The Nickel Plate Review Committee shall either approve, approve with conditions, or deny the application. The Nickel Plate Review Committee may continue the petition to the next meeting date if more information is needed. The Nickel Plate Review Committee shall make its decision on an application within ninety (90) calendar days of the receipt of a completed application, fee, and supporting documents. The Committee may grant one (1) 45 extension. (Ord. 110514C)
7. *Duration:*
 - a. The work or use authorized by Nickel Plate Review Committee approval is valid for the period stated in the applicable permit or approval.
 - b. *Extension:* A Nickel Plate Review Committee approval shall not be extended separately from the permit or approval with which it is associated. An extension granted to a permit or approval with which a Nickel Plate Review Committee approval is associated shall automatically include extension of the Nickel Plate Review Committee approval.

8.2.10: Waivers Review Process:

1. *Intent:* The waivers review process provides a mechanism by which the regulations of the Nickel Plate District Code may be modified if the development proposal is determined to meet the intended purposes of the Nickel Plate District Code. Each waiver shall be considered on a case by case basis, and a waiver shall not apply to a project other than the project for which it was sought. If a project is not completed for which a waiver was granted, the waiver(s) becomes null and void. (Ord. 110514C) Any costs incurred as a result of a granted waiver are the sole responsibility of the applicant. (Ord. 071816C)
2. *Application requirements:* A waiver application shall be accompanied by documentation that establishes how the application meets the criteria set forth in Section 8.2.9.4, *Review* and other applicable sections of the Nickel Plate District Code.
3. *Staff review and report:* The Department of Community Development shall review the application for the waiver and shall prepare a written staff analysis of the issues raised by the application.

4. *Review criteria:* Minor waivers shall be reviewed by the Mayor or Mayor's Designee. Major waivers shall be reviewed by the Nickel Plate Review Committee. A written determination shall be produced that determines whether the following criteria have been met (Ord. 081715F, 110514C):
 - a. Meets the eligibility requirements of 8.2.10, Wavier Review Process. (Ord. 110514C)
 - b. Will not conflict with the Conceptual Master Plan. (Ord. 110514C)
 - c. Will result in an improved project which will be an attractive contribution to the Nickel Plate District. (Ord. 110514C)
 - d. Will not compromise the quality of the public realm or discouraged pedestrian use. (Ord. 110514C)
5. *Minor waivers eligibility:* Minor waivers are modest changes to design standards that are determined to meet the goals and intent of the Nickel Plate District and achieve substantial, though not complete, compliance with the Nickel Plate District Code. Minor waivers shall not compromise the project's ability to meet the goals and intent of the district as stated in the Nickel Plate District Code. Minor waivers may be approved administratively by the Mayor or Mayor's Designee or the Director's designee. The following design standards are eligible for a minor waiver: (Ord. 081715F)
 - a. Increase or decrease in the amount of parking spaces between 0-10% of permitted range.
 - b. Dimensional standards: request that is within ten percent (10%) of standard. For example, where a build-to line of ten (10) feet is required, a minor waiver may be requested for a proposed build-to line of nine (9) feet. Any request greater than ten percent (10%) of the standard would require approval of a major waiver.
 - c. Pedestrian pass-through: structures that require a pedestrian passage through the longest side of the structure (per section 2) may request a minor waiver provided adequate alternative pedestrian circulation routes are available and use of the pass through will not increase the connectivity of the site (e.g. pass-through would lead to the railroad tracks). (Ord. 011717D)
 - d. Four-sided architecture: A minor waiver may be requested from four-sided architecture requirements if public art is substituted (per section 2.4). This waiver may only apply to one façade.

- e. Landscaping: Requirement may be reduced by up to twenty-five percent (25%) if it is replaced with public art. Public art shall not replace required buffer yard landscaping as required (per section 3.2).
- f. Compact parking spaces may be approved to address unique site considerations. No more than ten percent (10%) of the required spaces may be compact spaces.
- g. Surface parking lots in the DC and MC may be approved as a temporary solution to parking concerns. Surface lots shall be designed such that the lot will make a viable redevelopment site when adequate street or structure parking is available. Use of a temporary parking lot grants the reduction in the side or rear setback be reduced to less than half of the property width or depth.
- h. Fencing: Approval of alternate fencing designs to address the unique constraints of project sites or building orientation. (Ord. 071816C)
- i. Street Design: Altering the design standards of the Street Standards section to allow for a coordinated, functional street network. (Ord. 071816C)
- j. Pedestrian Blade Sign: Allowing a Pedestrian Blade Sign up to five square feet in size. (Ord. 071816C)
- k. Individual Creative Sign: Approval of a single sign exceeding the provisions of this Code. Approval of multiple signs requires Nickel Plate Review Committee approval. (Ord. 071816C)
- l. Fencing: Alternate fencing materials, heights, and locations may be approved for the purposes of public safety. (Ord. 071816C)
- m. Parking: Allow for reduction of the four (4) required spaces on a property if no on-street parking is available. (Ord. 011717D)
- n. Building height: Allow for buildings to meet the minimum required height but not the number of stories indicated. (Ord. 011717D)
- o. Landscape modification: Approval of alternate landscape for properties undergoing maintenance which have already received approval. (Ord. 011717D)
- p. Re-location of required landscaping in the Technology Center to maximize the appearance of the building along the street.

- 6. *Major Waivers Eligibility:* The granting of major waivers shall be determined in writing by the Nickel Plate Review Committee. The following are eligible for a major waiver:
 - a. Dimensional standards, except that no waiver to a dimensional standard shall be granted which would result in a reduction of a Code requirement or an increase in a Code limitation by more than twenty-five percent (25%). On sites deeper than 170 feet, the Nickel Plate Review Committee may completely waive the rear yard setback requirement. On sites wider than 250 feet, the Nickel Plate Review Committee may allow for the side yard setback to be an aggregate of 40 feet (e.g. 30 feet and 10 feet on either side of the building). (Ord. 071816C)
 - b. Building design standards for street walls, windows, shape of openings, roofs and exterior finish standards.
 - c. Placement of signs. Lower wall sign areas may be allocated to canopies and awnings provided no other wall signage is permitted.
 - d. Increase or decrease in amount of parking spaces required by greater than ten percent (10%) of standard.
 - e. Parking Structure Screening: Green screens may be used on parking structures to offset architectural or buffer yard requirements if deemed an acceptable substitute by the Nickel Plate Review Committee (see Section 3.6).
 - f. Building Materials: The Nickel Plate Review Committee may allow material substitution if substitution provides comparable or superior aesthetic quality to permitted material. In no instance shall the substituted materials comprise more than forty percent (40%) of the façade.
 - g. Building Height: The Nickel Plate Review Committee may approve up to two additional stories above the maximum on a primary structure. The additional floor(s) may only be approved if an offset is provided at the third (3rd) or fourth (4th) floors to break up the appearance of the façade's height. In lieu of the offset, the top floor can be structured to fit within the building's roofline. This waiver would allow the maximum building height to be increased to 75 feet. (Ord. 011717D)

- h. Flex Space: The Nickel Plate Review Committee may approve flex space on the first (1st) floor for non-commercial use in areas that require first (1st) floor commercial use (per section 1.4). This shall comprise no more than sixty percent (60%) of the required commercial frontage.
- i. Signage: An alternate, creative signage program exceeding the provisions of this Code may be approved by the Nickel Plate Review Committee for an entire building/project. The submitted plans must be reflective of all signage to be used for all tenants in the building/project. The Nickel Plate Review Committee may approve the use of signage not specifically identified in this Code through this waiver. (Ord. 071816C)
 - i. Purpose. The purpose of a creative sign program is to integrate all signs with the overall site design and the structures' design into a unified architectural statement. A creative sign program provides a means for the flexible application of sign regulations in order to provide incentive and latitude in the design and display of multiple signs and to achieve, not circumvent, the purpose of the Nickle Plate code. Approval of a creative sign program may modify the standards provided in this chapter as to sign number, size, height, illumination, location, orientation, or other aspects of signs within the limits of this section. (Ord. 071816C)
 - ii. Application requirements. A sign permit application for a creative sign program shall include all information and materials required by the Mayor or Mayor's Designee. (Ord. 071816C)
 - iii. Standards. A creative sign program shall comply with the following standards: (Ord. 071816C)
 - 1. The proposed sign program shall comply with the intent of this chapter. (Ord. 071816C)
 - 2. The proposed signs shall enhance the overall development, be in harmony with, and relate visually to other signs included in the creative sign program, to the structures and/or developments they identify, and to surrounding development when applicable. (Ord. 071816C)
 - 3. The sign program shall address all permanent signs. (Ord. 071816C)
 - 4. The sign program shall accommodate future revisions that may be required because of changes in use or tenants. (Ord. 071816C)
 - 5. The sign program shall comply with the standards of the Nickle Plate code, except that deviations are allowed with regard to sign area, total number, location, illumination, and/or height of signs to the extent that the creative sign program will enhance the overall development and will more fully accomplish the purposes and intent of the Nickle Plate code. (Ord. 071816C)
 - 6. Approval of a creative sign program shall not authorize the use of signs prohibited by this chapter. (Ord. 071816C)
 - 7. Review and approval of a creative sign program shall not consider the signs' proposed message content. (Ord. 071816C)
 - viii. Findings. In order to approve a creative sign program the following findings shall be made: (Ord. 071816C)
 - 1. The creative sign program complies with the purpose of the Nickle Plate code. (Ord. 071816C)
 - 2. Proposed signs enhance the overall development and are in harmony with other signs included in the plan with the structures they identify and with surrounding development. (Ord. 071816C)
 - 3. The creative sign program contains provisions to accommodate future revisions that may be required because of changes in use or tenants. (Ord. 071816C)
 - 4. The creative sign program complies with the standards of the Nickle Plate code, except that flexibility is allowed with regard to sign area, number, location, and/or height to the extent that the signs proposed under the creative sign program will enhance the overall development, achieve superior quality design, and will more fully accomplish the purposes of this chapter. (Ord. 071816C)

- v. Revisions to creative sign programs. The Mayor or Mayor's Designee may approve revisions to a creative sign program if the intent of the original approval is not affected. Revisions that would substantially deviate from the original approval shall require the approval of a new/revised creative sign program by the Nickel Plate Review Committee. (Ord. 071816C)
- j. Landscape: An alternate, creative landscape package may be approved by the Nickel Plate Review Committee. (Ord. 071816C)
- k. Park: The Nickel Plate Review Committee may grant a waiver to allow a structured, aesthetically pleasing park or green space area to be used to meet a required yard setback for one side of a structure. (Ord. 071816C)
- l. Parking lots in VC and MC: The Nickel Plate Review Committee may approve the use of surface parking lots in the Village Center and Municipal Center zones. Approval is contingent on:
 - i. These lots shall not be located in a front yard, except where a parcel has more than two front yards. Where a lot has more than two front yards, the Nickel Plate Review Committee shall determine the least impactful frontage for the parking lot to be placed.
 - ii. If this waiver is granted, building setbacks shall be measured from the edge of the parking lot and its associated walkways and/or landscape areas.
 - iii. Parking lots may only be granted for projects larger than two (2) acres.
 - iv. Parking lots may not negatively impact the streetscape or adjacent properties.
 - v. The intent of the Conceptual Master Plan must be maintained. (Ord. 091817)
- 7. *Public Meeting*: The Nickel Plate Review Committee shall conduct a public meeting in accordance with the Indiana Open Door Law. The Nickel Plate Review Committee shall review the written staff report and may grant the application, grant with conditions, or deny the application.

8.2.11: Appeals:

1. *Petitions and Major Waivers*

- a. An appeal of the Nickel Plate Review Committee's denial or approved of a petition or Major Waiver shall be made to the City Council by filing the appeal with the Mayor or Mayor's Designee of the Director's designee within thirty (30) days of the approval or denial. The appeal shall be included on the City Council's agenda for a regularly scheduled meeting within (30) days of the date the appeal is received. At the meeting, the Council shall hear from all interested persons. After considering the evidence, the Council shall determine and make findings regarding whether the application meets the intent of the Nickel Plate District Code and the Nickel Plate District Master Plan and shall approve, approve with conditions, or deny the application. (Ord. 081715F, 110514C)
- b. An appeal of the Council's decision shall be made to the Board of Zoning Appeals by filing the appeal with the Mayor or Mayor's Designee of the Director's designee within thirty (30) days of the approved or denial. The appeal shall be included on the Board of Zoning Appeals' agenda for a regularly scheduled meeting within thirty (30) days of the date the appeal is received. At the meeting, the Board of Zoning Appeals shall hear from all interested persons. After considering the evidence, the Board of Zoning Appeals shall determine and make findings regarding whether the application meets the intent of the Nickel Plate District Code and the Nickel Plate District Master Plan and shall approve, approve with conditions, or deny the application. (Ord. 081715F, 110514C)
- c. An appeal of the Board of Zoning Appeal's decision shall be made pursuant to and consistent with Indiana law. (Ord. 110514C)

2. *Minor Waivers*

- a. An appeal of a minor waiver approval or denial by the Mayor or Mayor's Designee shall be made to the Nickel Plate Review Committee by filing the appeal with the Mayor or Mayor's Designee or the Director's designee within thirty (30) days of the approval or denial. The appeal shall be included on the Nickel Plate Review Committee's agenda for a regularly scheduled meeting within thirty (30) days of the date the appeal is received. At the meeting, the Nickel Plate Review Committee shall hear from all interested persons. After considering the evidence, the Nickel Plate Review

Committee shall determine and make findings regarding whether the application meets the intent of the Nickel Plate District Code and the Nickel Plate District Master Plan and shall approve, approve with conditions, or deny the application. (Ord. 081715F, 110514C)

- b. An appeal of the Board of Zoning Appeal's decision shall be made pursuant to and consistent with Indiana law. (Ord. 110514C)

8.3: Nonconforming Lots, Sites, Structures, and Uses

8.3.1: Purpose: Upon adoption of the Nickel Plate District Code, some previously lawful lots, sites, structures, and land uses may no longer conform to the regulations of the Code. For this reason, Section 8.3, *Nonconforming Lots, Sites, Structures, and Uses* specifies the rules, policies, and regulations that apply to these lots, sites, structures, and land uses referred to as lawfully nonconforming within the Nickel Plate District. The purpose of this section is to allow nonconforming lots, structures, and uses to continue to the extent consistent with the health, safety, and public welfare purposes of the District, and to provide for the following:

1. Continuing maintenance of nonconforming uses, buildings, structures and site elements, uses which do not conform to the provisions of the District but which complied with applicable laws when established;
2. Provide for the gradual replacement of nonconforming uses with uses that conform to the provisions of the District;
3. Provide standards for the expansion of nonconforming uses;
4. Provide standards for the continuance of nonconforming uses of land; and,
5. Provide standards for the continuance and expansion of nonconforming buildings, structures, and site elements.

8.3.2: Establishing Legal Nonconformity:

1. Any lot, site, structure, or land use which does not conform with one or more provisions of the Nickel Plate District Code, but which lawfully existed upon the effective date of the provisions of this Code with which the lot, structure or use does not conform, shall be a lawful nonconforming lot, site, use or structure within the meaning of this section.

2. In order to protect the lawful nonconforming status of a nonconforming use, a person who owns or operates a nonconforming use may request a Certificate of Nonconforming Use from the Mayor or Mayor's Designee. The applicant shall demonstrate that the use is a lawful nonconforming use prior to the issuance of the certificate. The applicant shall provide sufficient proof that the use or structure was established prior to the adoption of the ordinance and that there was continuous operation of the nonconforming use. Such other proof may be deemed necessary by the Mayor or Mayor's Designee. (Ord. 081715F)

8.3.3: Nonconforming Use of a Building, Structure, or Land

1. Any continuous, lawful nonconforming use of structures, land, or structures and land in combination established prior to the effective date of the Code that is no longer a permitted use in the Zone where it is located shall be deemed a legal nonconforming use. A legal nonconforming use may continue provided that it remains otherwise lawful, subject to the provisions within this chapter.
2. *Discontinuance of Abandoned Nonconforming Use:*
 - a. If a legal nonconforming use is discontinued or abandoned for six (6) consecutive months, except when government action impedes access to the premises or the building or structures in which such legal nonconforming use is conducted are damaged or destroyed by fire, flood, wind, or other calamity or act of God, any subsequent use of such land, structure or land and structure shall conform to the provisions of the Code.
 - b. When a legal nonconforming use is superseded by a permitted use, it shall thereafter conform to regulations of the Code, and the legal nonconforming use shall not thereafter be resumed.
3. *Accessory Buildings:* The requirements for nonconforming uses of nonconforming buildings or structures shall apply to all accessory buildings, structures, or buildings located on the same zoning lot.
4. *Expansion of Nonconforming Use:* Any continuous, lawful use of structures, land, or structures and land in combination established prior to the effective date of the Nickel Plate District Code or its subsequent amendments that is no longer a permitted use in the Zone where it is located shall be deemed a legal nonconforming use. A legal nonconforming use may continue provided that it remains otherwise lawful, subject to the following conditions:

- a. No existing structure devoted to a legal nonconforming use shall be enlarged, expanded, increased, extended, constructed, reconstructed, moved, or structurally altered unless it:
 - i. Complies with Section 8.3.3.4.d for limited and small expansions; or
 - ii. Changes the use of the structure to a use permitted in the zoning district in which it is located, or
 - iii. Changes the use to a less intensive nonconforming use and is approved by the Mayor or Mayor's Designee or Plan Commission. (Ord. 081715F)
- b. No new building or structure shall be constructed in connection with an existing legal nonconforming use of land.
- c. Any legal nonconforming use of a structure may be extended throughout any parts of a building which were plainly arranged or designed for such use at the effective date of the Unified Development Ordinance, but no such use shall be extended to occupy any land outside the building.
- d. In the case of the legal nonconforming use of a structure, the structure may be expanded up to two times, with total expansions not to exceed twenty percent (20%) of the existing floor area. The expansion shall conform to all applicable development standards in existence at the time such structure was initially constructed.
- e. If no structural alterations are made, a legal nonconforming use of structure or structure and land in combination may be changed to another legal nonconforming use, provided that the Mayor or Mayor's Designee shall make specific findings that the proposed use is equally appropriate or more appropriate to the zoning district than the existing legal nonconforming use. However, if the new use requires more parking area than the previous use, such new use will comply with the appropriate parking standards, as determined by the Mayor or Mayor's Designee. (Ord. 081715F)
- f. When a legal nonconforming use is superseded by a permitted use, it shall thereafter conform to regulations of the Zone, and the legal nonconforming use shall not thereafter be resumed.

5. *Use of Nonconforming Lots of Record*

- a. Erection of new single-family dwellings in residential districts on nonconforming lots of record shall be permitted if such proposed structure meets all of the requirements of the district in which it is sought to be located except for lot area.
- b. Erection of new structures or buildings in nonresidential districts shall be permitted on nonconforming lots of record if such proposed structure meets all of the requirements of the district in which it is sought to be located except for lot area.

6. *Nonconforming Building or Structure*

- a. Any continuously occupied, lawfully established structure or building, excluding telecommunication towers and signs, prior to the effective date of the Code, or its subsequent amendments, that no longer meets the development standards due to the reasons listed below shall be deemed a legal nonconforming building or structure.
- b. A legal nonconforming building or structure may continue provided that it remains the same or fits within the below described tolerances:
 - i. Except as provided in Section 8.3.3.4.d for limited and small expansions, any legal nonconforming building or structure shall not be enlarged or altered in a manner that the enlargement or alteration increases its nonconformity, but the building or structure, or portion thereof, may be altered to maintain or decrease its nonconformity.
 - ii. Any legal nonconforming building or structure which is not part of a multifamily residential development having more than two buildings or structures and is damaged or destroyed by more than fifty percent (50%) of the fair market value of all primary structures on the land shall thereafter conform to the regulations of the zoning district in which it is located.
 - iii. If a building or structure is moved for any reason, for any distance, it shall thereafter conform to the provisions of the Code.

8.3.4: Nonconforming Sites and Structures; Limited Compliance, Nonresidential

Uses: A lawful nonconforming site or structure, where any use is nonresidential, shall be brought into compliance with the Code to the extent required by this Code whenever the following occurs upon the site: any change in use, expansion, enlargement, or relocation of any use; reestablishment of a prior conforming use that has been discontinued for a period of twelve (12) months or longer; or addition to any building of more than ten percent (10%) of the gross floor area.

- a. **Structure Setback/Height:** Existing structures shall not be subject to current setback or height standards and shall remain lawful nonconforming unless completely demolished and replaced.
- b. **Parking Setback/Impervious Surface Coverage:** If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback.
- c. **Parking:** Any change in use or reestablishment of an abandoned conforming use shall meet parking requirements of this Code. Any expansion, enlargement, or relocation of an existing conforming use, or addition to any building of more than ten percent (10%) of the gross floor area may not increase the degree of nonconformity regarding the required number of parking spaces.
- d. **Paving:** Any substandard parking surfaces shall be brought into compliance with Parking Standards of the Code and applicable UDO parking standards.
- e. **Striping:** All parking areas shall be striped in accordance with UDO Parking Standards.
- f. **ADA Parking:** All required handicap parking spaces shall be installed in accordance with UDO Parking Standards. If no additional room for parking is available, the number of parking spaces provided may be decreased enough to provide adequate ADA parking aisles.
- g. **Bike Parking:** All required bicycle parking shall be installed per requirements of the Code.

- h. **Landscaping:** If full compliance with Section 3, *Landscaping* cannot be achieved due to lack of adequate planting area, all yard areas shall be landscaped to the maximum practicable density with a priority given to shade tree installation.
- i. **Pedestrian Facilities:** Any street frontage without existing pedestrian facilities shall be required to install pedestrian facilities per the Code. If substandard pedestrian facilities exist, new facilities shall not be required if existing facilities are in functional condition.
- j. **ADA Ramps:** Any existing sidewalks that do not have adequate ADA ramps shall install required ramps per the UDO and other applicable standards.
- k. **Signage:** All signage shall be brought into compliance with Section 6, *Signage* to the extent practicable, although freestanding signs may utilize existing setbacks where the sign is not located within a restricted vision clearance area.
- l. **Dumpster Enclosures:** All outdoor waste collection facilities shall be brought into compliance with the Code and UDO.
- m. **Lighting:** All lighting shall be brought into compliance with the Code.
- n. **Entrances and Drives:** All entrances and drives shall be brought into compliance with the Code and UDO.

1. **Nonconforming Sites and Structures; Limited Compliance, Multifamily Uses:** A lawful nonconforming site or structure, where the principal use is multifamily residential, shall be brought into compliance with current development standards to the extent required by this Subsection whenever the following occurs upon the site, other than as provided in Section 8.3.3.4.d for limited and small expansions: any addition to an existing building, any change of use, or any expansion, enlargement, or relocation of any use, which shall include but not be limited to addition of bedrooms or units:

- a. **Structure Setback/Height:** Existing structures shall not be subject to current setback standards and shall remain lawful nonconforming unless completely demolished and replaced.

- b. **Parking Setback/Impervious Surface Coverage:** If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback.
 - c. **Parking:** The degree of nonconformity regarding the required number of parking spaces shall not be increased.
 - d. **Paving:** Any substandard parking surfaces shall be brought into compliance with UDO Parking Standards.
 - e. **Striping:** All parking areas shall be striped in accordance with UDO Parking Standards.
 - f. **Bike Parking:** All required bicycle parking shall be installed per the requirements of the Code.
 - g. **Landscaping:** If full compliance with Section 3, *Landscaping*, cannot be achieved due to lack of adequate planting area, all yard areas shall be landscaped to the maximum practicable density with a priority given to shade tree installation.
 - h. **Pedestrian Facilities:** Any street frontage without existing pedestrian facilities shall be required to install pedestrian facilities per the requirements of the Code. If substandard pedestrian facilities exist, new facilities shall not be required if existing facilities are in functional condition.
 - i. **ADA Ramps:** Any existing sidewalks that do not have adequate handicap ramps shall install required ramps per the UDO and other applicable standards.
 - j. **Signage:** All signage shall be brought into compliance with Section 6, *Signage* to the extent practicable, although freestanding signs may utilize existing setbacks where the sign is not located within a restricted vision clearance area.
 - k. **Dumpster Enclosures:** All outdoor waste collection facilities shall be brought into compliance with the Code and UDO.
 - l. **Lighting:** All lighting shall be brought into compliance with the Code.
 - m. **Accessory Structures:** Construction of an accessory structure of less than 580 square feet shall be permitted within compliance with this section, provided that the accessory structure does not increase the degree of nonconformity regarding required maximum impervious surface coverage or required number of parking spaces.
 - n. **Entrances and Drives:** All entrances and drives shall be brought into compliance with the Code and UDO.
 - o. **Notwithstanding anything contained in Section 9 or this Ordinance to the contrary, (a) any building, structure, or land which is part of a multifamily residential development having more than four buildings or structures may be converted, superseded or developed in conformity with the Code, and (b) the remaining buildings, structures and land of such multifamily residential development shall continue to be deemed a legal nonconforming use and legal nonconforming buildings and structures and shall not be required to be brought into conformity with the Code so long as such remaining development consists of at least two buildings.**
2. ***Nonconforming Sites and Structures: Limited Compliance, Single-family Uses:*** A lawful nonconforming site or structure for a single-family use shall not be brought into compliance with current development standards at such time as an addition or modification occurs, except that the addition or modification may not increase the degree of nonconformity regarding parking requirements. Enlargement or modification of an existing driveway shall be subject to UDO standards.
 3. ***Restoration:*** If a nonconforming building or structure is damaged or partially destroyed by fire, flood, wind, or other calamity or act of God, structural alternation or other repairs for the purpose or reconstruction may be carried out so long as they are repaired or replaced no more than their original size (i.e. no additional floor area shall be added).
 4. ***Repair:*** Repair of nonconforming building or other structure repairs required for restoration of damaged or partially destroyed buildings, may be carried out.

5. *Building Permit*: Any owner who is authorized to replace, rebuild, or otherwise restore a damaged or destroyed structure such that the replacement, rebuild, or restoration results in the structure retaining its lawful nonconforming status under this Section shall first obtain a building permit within twelve (12) months from the date the damage or destruction occurs. The Mayor or Mayor's Designee or a designee may extend this time period for good cause shown. (Ord. 081715F)

8.4: Prohibited Uses

8.4.1: The following uses shall be prohibited in the Nickel Plate District:

1. Agriculture
2. Alternative financial services (e.g. refund anticipation lenders, short-term loan providers, cash for precious metal stores, or pawn shops)
3. Auto rental, repair, and storage
4. Auto sales
5. Boarding house
6. Food processing
7. Heavy industry
8. Manufacturing (excluding Technology Center)
9. Massage parlor
10. Machine Shop / Manufacturing
11. Nail salon (not including nail services that are part of a day spa or similar use)
12. Outdoor sales areas over 60 square feet.
13. Outdoor storage
14. Package goods store (alcohol)
15. Piercing Studio
16. Sexually-oriented business

17. Storage as a primary use

18. Tattoo parlor

19. Tobacco shop, cigar lounge, head, or other smoke shop

8.4.2: The following uses shall be prohibited in any property in the Nickel Plate District that is adjacent to a school:

1. Bar or tavern

8.5: Review

8.5.1: All new, detached structures over 200 square feet shall require an Improvement Location Permit. Application materials shall be provided in accordance with the application packet. A permit is required for all other new and renovated structures.

8.5.2: All new structures over 10,000 square feet shall include a three-dimensional rendering of the structure that shows the architecture of the new structure as well as the massing of adjacent, existing structures.

8.5.3: All development and/or redevelopment within the Nickel Plate District shall be reviewed and approved according to the following procedure:

1. Pre-file Meeting
2. Application
3. Technical Advisory Committee
4. Nickel Plate Review Committee (if applicable)
5. Waivers / Variance Request (if applicable)
6. Approval / Denial (within 26 weeks of application)
7. Building Permit
8. As-built Plans

8.5.4: All changes of use shall require an improvement location permit. (Ord. 011717D)

- 8.5.5: Maintenance shall not require an Improvement Location Permit or Nickel Plate Committee review, unless deemed necessary by the Mayor or Mayor's Designee. (Ord. 011717D)

8.6: Design Standards

- 8.6.1: Article 7, Design Standards, of the Fishers Unified Development Ordinance shall apply, as amended. Where conflicts exist, this Code shall prevail.
- 8.6.2: Vision triangles shall be measured from the edge of curb.

8.7: Subdivision

8.7.1: Intent

To promote compact, mixed use development with a traditional, walkable street grid.

8.7.2: Subdivision Standards

Figure 8.1: Subdivision Standards

	DC Downtown Core	MC Municipal Center	HC Highway Center	VC Village Center	TC Technology Center
Lot Area (Min.)	None	None	None	2,000 SF	None
Lot Area (Max.)	None	None	None	10 Acres	None
Open Space (Min.)	5%	10%	10%	10%	10%
Block Length (Min. / Max.)	150 / 500 ft.	150 / 500 ft.	400 / 750 ft.	150 / 350 ft.	150 / 500 ft.
Street Frontage (Min.)	50 ft.	50 ft.	80 ft.	25 ft.	50 ft.

8.7.3: General Subdivision Requirements

1. Sidewalks and street profiles are to be provided according to Section 7 of this Code.
2. Shortened pedestrian crossings are required at intersections and at mid-block crossings. This applies to public right-of-ways only.
3. Internal connectivity (stub streets) is required where a parking lot abuts a neighboring property line.
4. Storm water is to be managed without the use of surface detention / retention areas.
5. Cul-de-sacs shall not be permitted.
6. Private roads shall not be permitted.
7. All plats shall establish the right-of-way line one foot behind the sidewalk. (Ord. 011717D)

8.7.4: Landscape

1. Landscape shall be provided in accordance with Section 3 of this Code.
2. Properties on the perimeter of the Nickel Plate District shall provide a buffer between any single-family residential properties and any other use.

8.7.5: Assembly of Lots

1. Assembly of four or less lots into one tract may be conducted as a minor TAC item using the secondary plat process.
2. Assembly of more than four lots will require review by the TCRC in addition to the full TAC and secondary plat processes.

8.7.6: Division of Land

1. Tracts under four acres may subdivide as a secondary plat.
2. Tracts over four acres shall primary plat before a secondary plat may be filed.

8.8: Encroachments

- 8.8.1: Location of building elements (e.g. lighting, signage, awnings, etc.) and/or site amenities (e.g. large planters, outdoor seating, etc.) requires an encroachment permit.
- 8.8.2: Permits for encroachment may be amended if amenities/building elements are proposed to be added or removed.
- 8.8.3: Engineered drawings and proof of insurance may be required by the Department of Community Development.
- 8.8.4: Permanent building mechanical equipment shall not be permitted to encroach.
- 8.8.5: Encroachment permits may be revoked by Fishers provided 30 days notice to the contact person listed on the encroachment application.



SECTION 9 - MASTER PLAN

9.1: Nickel Plate District

The Nickel Plate District, identified in Figure 9.1, Nickel Plate District Extent Map, encompasses the area that has historically served as Fishers' downtown. This District comprised nearly the entire community when there were only around 800 residents and the community was known as Fishers' Switch. Now, the District is transforming into an area where a community of almost 90,000 people can call the 'heart of the community' and where they can go to live, work, shop, and dine.

Dating back to a time when it was referred to as Fishers' Switch, the area was built off of the activity and commerce from the railroad. Though few remnants of those times remain, the railroad could once again unlock greater potential for the Nickel Plate District through connection to Indianapolis and other regional destinations. The makeup of the Nickel Plate District has gone through many transformations over its long history and will continue on that path as new life is injected into the Nickel Plate District and the growth of Downtown Fishers continues.

The Nickel Plate District encompasses a wide variety of land uses and also serves as the civic hub of the community. The District includes residential properties, small businesses, large retailers, office uses, dining, and municipal facilities. These municipal facilities include parks, an amphitheater, library, fire station, police station, municipal center, bureau of motor vehicles, train station, and court.

Major thoroughfares running through the Nickel Plate District, both east-west and north-south, pose challenges to walkability yet at the same time have the potential to be the lifeline for future development by providing a constant flow of people into the District. The District is also well positioned for attracting reinvestment with the location of the 116th Street and Interstate 69 interchange on its eastern boundary which adds to the ease of access to and from the area.



Currently, areas of the Nickel Plate District are separated by development and major transportation corridors. For example, two significant open spaces, Roy G. Holland Memorial Park and the Municipal Center grounds, need better connectivity through trails, paths, sidewalks, and streets. These connections are to be created through this Code as they contribute greatly to the recreational and public needs of the District.

The vision of the Nickel Plate District can be seen in Figure 9.4, Conceptual Master Plan. This Code sets forth a framework to achieve this vision through public and private investment. Though the District may not develop exactly as depicted on the Master Plan, this Code intends to maintain the character that was envisioned as part of this planning process.

9.2: Purpose

Fishers has a vision for its downtown, the Nickel Plate District, but the community needs a mechanism for visualization and implementation. First, the *Downtown 2030 Master Plan* was created to guide the community in laying out a vision for the downtown area. This Plan built upon previous planning efforts, including the *2011 Town Center Plan*. The Plan also was formed based on extensive community input throughout the planning process. The vision created through this process was then translated into an illustrative master plan, which showed how the Nickel Plate District should develop. The Nickel Plate District Code is the final step in the process as it establishes the development requirements for all of the properties in the Nickel Plate District.

This Code establishes four Zones, presented in Section 1, *Zones*, that each allow different building intensities and types to create a walkable, mixed use, and traditional downtown environment. This Code responds to the more compact development planned with enhanced architectural requirements, appropriate landscape standards, and specific designs for the public spaces and rights-of-way.

The level of design in this Code is very specific as the community has developed a very detailed vision for the District. This Code forms a foundation that allows for the development of a walkable, vibrant Downtown Fishers.

Figure 9.1: Nickel Plate District Extents Map



9.3: Planning Process

Fishers residents have been interested in planning for the downtown area for many years. Downtown planning efforts from the *1992 HNTB Town Center Plan* and *2001 Town Center Plan* helped to lay the groundwork for the current downtown planning efforts. The recently completed *2011 Town Center Plan* was an important step for downtown planning, and provided a guide for development of the downtown core of Fishers. It establishes a framework for private development projects and provides a foundation for public and private investment. The *2011 Town Center Plan* was a result of efforts on the part of the City Council, the Plan Commission, a citizen steering committee, residents and Staff.

The *Downtown 2030 Master Plan* was the next step in realizing the vision for the downtown area. This Master Plan was developed through extensive public input in 2012 and 2013, and through ongoing coordination among the Department of Community Development, multiple other City departments, and the professional design consultant teams of Land Design Inc. and Context Landscape Architecture. This plan uses the guidelines set forth in the *2011 Town Center Plan* and the input received throughout the *Downtown 2030 Master Plan* public process to graphically illustrate the proposed downtown.

In order to translate the *Downtown 2030 Master Plan* to a codified form, the Department of Community Development reached out to the public, property owners, multiple other City departments, and the membership of the City Boards. Staff held individual meetings with interested property owners and also held general information meetings where all property owners and the public were invited to attend.

A highlight of the meetings held for this *Downtown 2030 Master Plan* and *Nickel Plate District Code* include:

- Downtown 2030 open houses (Code was highlighted at each of the 6 meetings)
 - December 10, 2012 (approx. 70 in attendance)
 - January 17, 2013 (approx. 80 in attendance)
 - February 6, 2013 (approx. 50 in attendance)
- February 8, 2013: Code overview placed on City webpage
- February 12, 2013: Staff presented the *Downtown 2030 Master Plan* and Code to Advisory Plan Commission public hearing
- February 14, 2013: Staff presented the *Downtown 2030 Master Plan* to Fishers UMC (approx. 20 in attendance)
- March 25, 2013: Staff presented the *Downtown 2030 Master Plan* to HSE school board

- June 27, 2013: Staff presented on the Code to the ULI breakfast series (approx. 50 in attendance)
- July 9, 2013: Staff presented the draft Code at the Advisory Plan Commission public hearing
- July 9, 2013: Staff mailed a letter to all property owners (406 total) within the proposed boundary of the Code with staff contact information, access to draft document, and upcoming meeting dates.
- July 9, 2013: Draft Code uploaded to City's webpage
- July 24, 2013: Staff held a public meeting with property owners (24 in attendance) to discuss the Code
- July 25, 2013: Staff held a public meeting with property owners (12 in attendance) to discuss the Code
- July 30, 2013: Staff presented the draft to the Chamber Economic Development Advisory Committee
- September 9, 2013: Staff held a public meeting to review the draft Code with members of City Council, Advisory Plan Commission and the Boards of Zoning Appeals
- October 15, 2013: Staff presented the revised draft to the Advisory Plan Commission in a public meeting
- November 5, 2013: Staff presented the draft to the City Center Review Committee in a public meeting
- November 18, 2013: First Reading was held at the City Council
- December 12, 2013: Plan Commission reviewed the document at a public hearing
- January 14, 2014: The Plan Commission hearing was continued to this meeting where a favorable recommendation was provided
- February 3, 2014: Second Reading was held at the City Council
- February 17, 2014: Third Reading was held at the City Council
- Community Development staff has met with interested community members and property owners to discuss the draft document

9.4: Regional Precedent and Character

This regional precedent study reviews neighboring communities and their current downtown and town center developments. These areas support more traditional urbanism in that they promote centers of increased density that are walkable and inclusive of all of an individual's daily needs. The layout of these urban centers is based on the feel of individual Zones, blocks, streets, and buildings. These individual elements cannot be exclusive of one another as, collectively, they make up the overall feeling of a community.

Central Indiana is widely known for the small town atmosphere generated by its towns and cities. Historically, these downtown areas usually have a collection of no more



Shelbyville, Indiana



Franklin, Indiana



Pendleton, Indiana



Brazil, Indiana



Noblesville, Indiana



Greencastle, Indiana

than two or three primary streets that provide all the goods and services the residents of the community need. The buildings typically offer a mixture of uses within two to three stories, with retail or professional offices occupying the ground floor and office or residential in the stories above.

These buildings also directly front the street with little to no planting occurring between the street curb and building façade. Parallel and angled parking is provided along the street and offers easy access for customers. Buildings are primarily brick with limestone or precast accents and expression lines between the first and second floors, sometimes with elaborate cornices. Together, these elements create places that are destinations which continue to attract people for their enduring pedestrian scale, variety and activity. This environment is commonly sought by municipalities, developers, and planners.

9.5: Regional Character

Central Indiana is widely known for the small town atmosphere generated by its towns and cities. These



Brownsburg, Indiana



Noblesville, Indiana



Columbus, Ohio



Anderson, Indiana



Columbus, Ohio

downtown areas usually have a collection of no more than two or three primary streets that provide all the goods and services the residents of the community need. The two to three story buildings typically offer a mixture of uses, with retail or professional offices occupying the ground floor and office or residential in the stories above.

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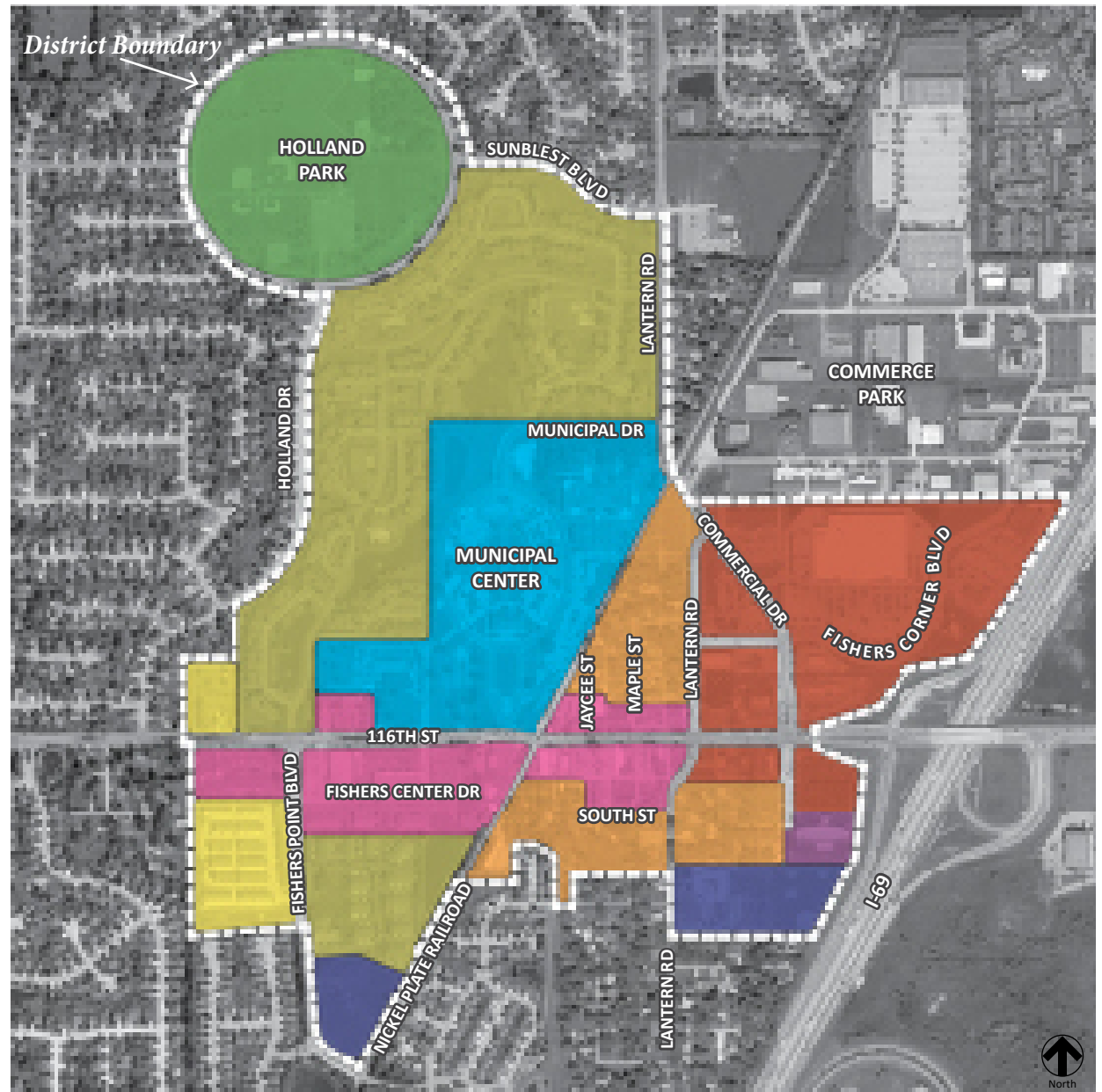
9.6: Existing Land Use

The Nickel Plate District encompasses municipal, residential, commercial, and institutional uses. Many of the facilities provided in these spaces house services for the community as a whole. The municipal center is home to the municipal government as well as the festivals and events hosted by Fishers. The properties adjacent to Interstate 69 are primarily commercial and serve the retail needs of the greater community with larger footprint tenants. The northern and southern

LEGEND

	Civic		Institutional
	Mixed Commercial & Residential		Multifamily Residential
	Commercial		Townhouse & Single Family Residential
	Highway Commercial		Open Space & Park
	Lodging		District Boundary

Figure 9.2: Existing Use Map



edges of the District are home to residents and small businesses in smaller buildings, such as single family homes, businesses, small shops, apartments, and converted homes for small offices.

9.7: Existing Conditions

The following pictures illustrate the existing conditions in the Nickel Plate District at the adoption of the Nickel Plate District Code.



Local restaurant adds to the streetscape of 116th Street and serves as a destination for residents.



Nickel Plate Railroad and passenger platform could serve commuters in the future.



A remnant of the railroad and agriculture commerce, the grain elevator is the tallest structure in Town.



Brick buildings along 116th Street reflect historic architectural character.



Municipal Center: Fishers police station.



Municipal Center: Town Hall anchors the primary axis and entrance from 116th Street to the Municipal Center.



Municipal Center: Fishers public library and LAUNCH Fishers, a small business and entrepreneur incubator.



Municipal Center: Fire Station



Maple Street: Repurposed existing single family homes; however, infrastructure has fallen into disrepair.



Existing single family home along Maple Street.



Maple Street looking north from 116th Street.



Professional office redevelopment on Maple Street using traditional architecture.



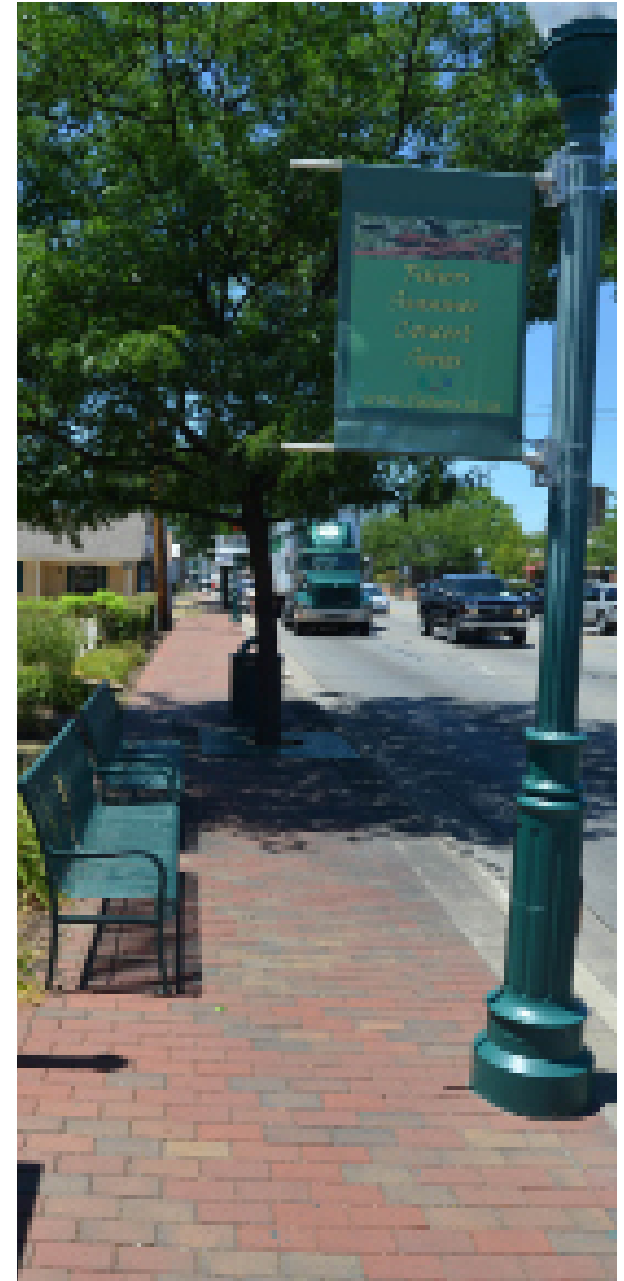
In-fill retail shops along 116th Street setback from the street with parking in front.



Stand alone retail storefront addresses the streetscape with a landscaped foundation and building entrances.



116th Street at Jaycee Street looking west.



Streetscape along 116th Street offers brick sidewalks, acorn streetlights and site furnishings.



Fast food restaurants and pad-site retail occupy most of the property near the I-69 interchange at 116th Street.



Service station along 116th Street takes advantage of the Interstate 69 interchange and the number of vehicles that utilize the corridor. Use of low walls, landscaping and building siting mitigates the overall effect on the streetscape experience.



Large big box retail near the I-69 interchange follows typical development patterns for this use.



Recently developed in-line retail shops show varied massing and architectural elements that reflect some historic regional precedents. Buildings are setback from 116th Street with parking in front. Low walls and landscaping soften the parking.



Recently constructed office building along Lantern Road has a modern style in form, detailing and use of materials.



Recently constructed building south of 116th Street relies on a more traditional architectural style.



116th Street looking west from Commercial Drive: Four lanes of traffic with turn lanes and medians.



Intersection of 116th Street and Commercial Drive: Interstate 69 can be seen to the left in the distance. The photograph centers on a strip retail center south of 116th Street that has a hotel located behind it. This is currently the closest lodging option to the Nickel Plate District. This intersection is heavily traveled due to the interstate access.



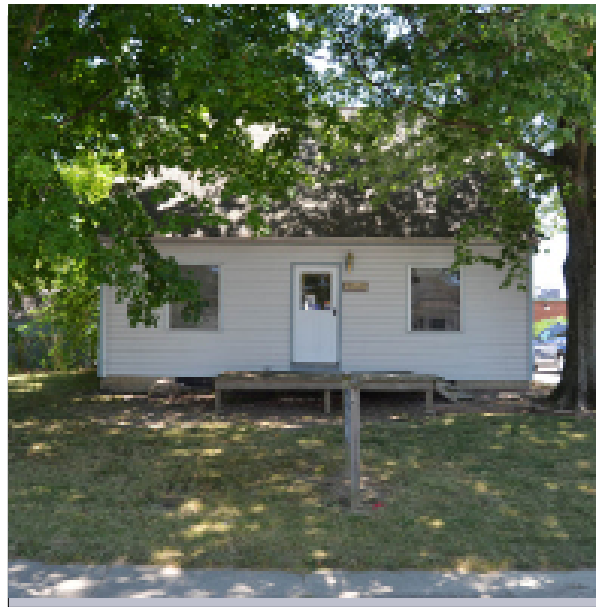
Recently constructed townhomes directly address the street with front stoops and balconies. Consistent street trees and foundation plantings bring the experience down to pedestrian scale.



Townhouses have rear loaded garages with access from alleys keeping the public realm experience uncluttered.



Existing multifamily apartment buildings as set in a traditional garden style layout with winding streets and parking lots and large setbacks.



Single family detached residential home mixed in with professional office and other businesses along Maple Street.



Single family detached home that has been converted to a business along Lantern Road north of 116th Street.

9.8: Existing Street Network

The existing street network is designed to provide connectivity to Fishers as a community, but is fragmented within the Nickel Plate District itself. This fragmentation is a result of the railroad, Interstate 69, and historic design practices that focused on making inwardly designed communities.

The district primary arterials serve as connections for the community as a whole. These are the north-south, east-west connections through the District that provide the highest capacities for vehicular travel.

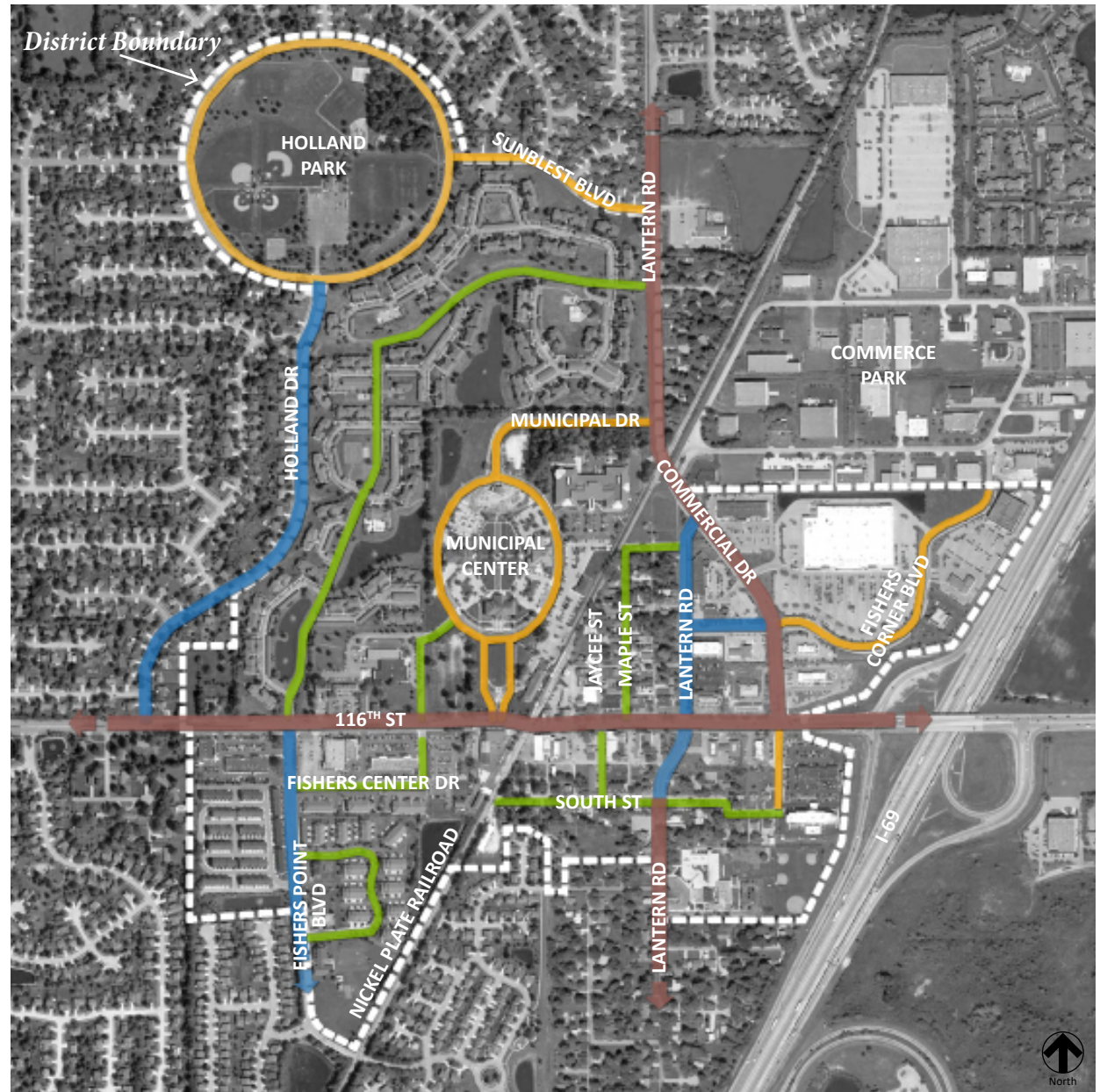
The district secondary arterials are streets that still provide regional connectivity to Fishers as a whole, though these roads also serve to move people in addition to the vehicles.

The district collector streets allow motorists, pedestrians, and bicycles to travel shorter distances within the District while also providing connections between the Neighborhoods and the arterials.

The district local streets are the lowest volume roadways that provide access to individual homes and lots.

The existing street network provides a mix of options for pedestrians and bicyclists, though it is not connected or comprehensive.

Figure 9.3: Existing Street Map



LEGEND

 District Primary Arterial	 District Collector
 District Secondary Arterial	 District Local

9.9: Conceptual Master Plan

The Conceptual Master Plan for the Nickel Plate District, Figure 9.4, illustrates the what could happen as the downtown transitions into a major destination for the entire community. This destination will be able to serve all of the retail, dining, and service needs of the residents. This Plan builds upon the existing municipal complex and highway commercial uses and uses them as anchors to promote opportunities for redevelopment and in-fill. This new development will be supported by an enhanced framework of streets, open spaces and pedestrian connections. The configuration of the Plan is dictated by the areas prime for these opportunities and maintains existing uses in areas which are likely to remain the Nickel Plate District. This Master Plan is a unique vision that responds to the needs of the District and creates a vibrant and unique center to Fishers.

The Municipal Center is reconnected to the surrounding District through new street and trail connections. A large redevelopment opportunity has been generated between Jaycee Street and Lantern Road. The South Street area will be connected to Fishers Center Drive to provide more transportation options. These transportation options will aid the area south of 116th Street in redeveloping.

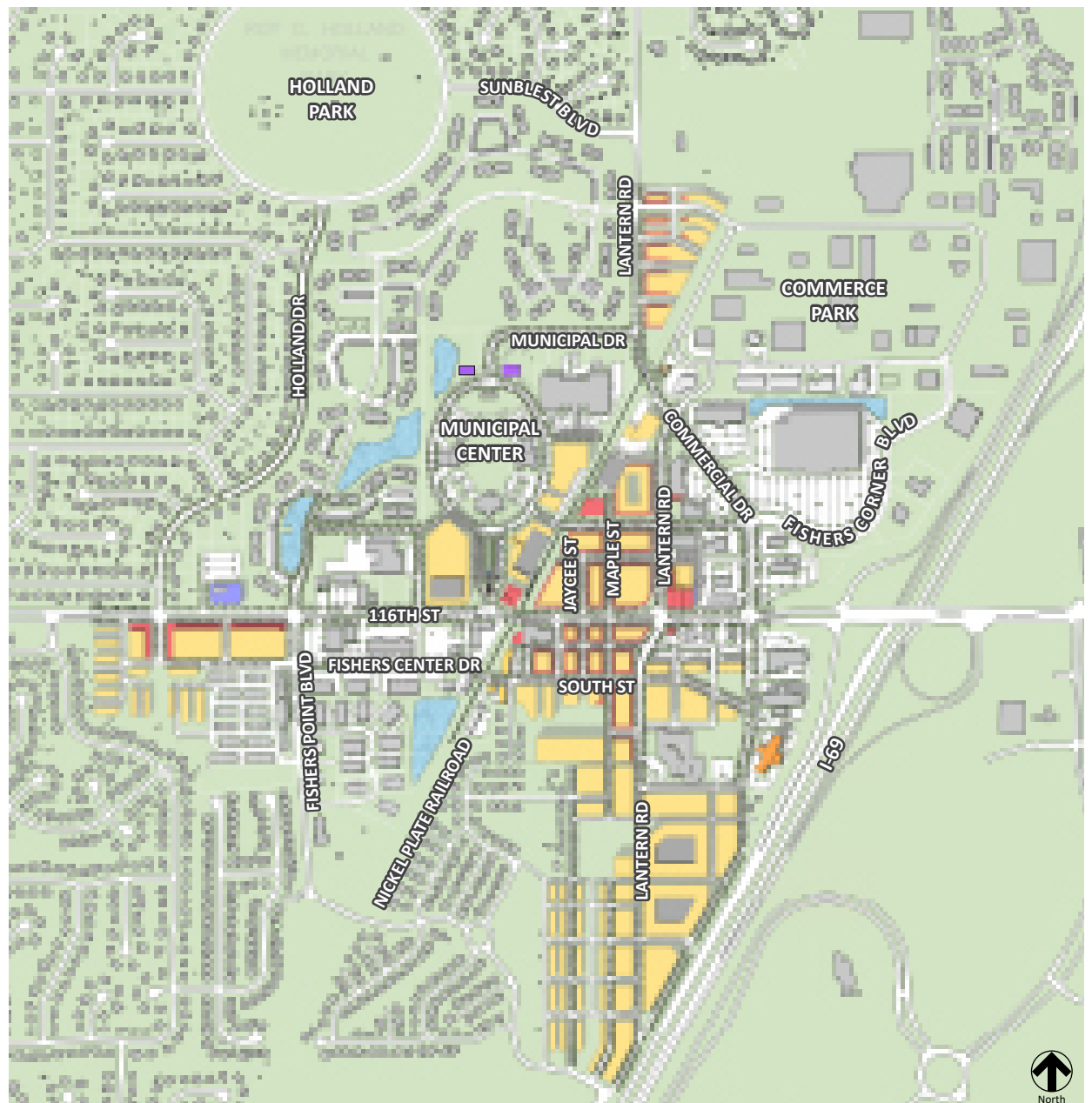
The Master Plan is responsive to the existing homes and residents both within the District and outside of it. Transitions to the existing zoning districts outside of the Nickel Plate District are addressed so that appropriate building sizes can be maintained.

Overall, the Master Plan depicts the desired outcome for redevelopment of the Nickel Plate District.

9.10: Nickel Plate District

The Conceptual Master Plan (Ord. 071816C) establishes the vision for the downtown, which will be implemented by the Nickel Plate District Code.

Figure 9.4: Conceptual Master Plan



NOTE Master Plan shown for illustrative purposes and intent only. Actual detailed plans and locations of individual buildings, streets and lots may vary, subject to constraints and conditions as yet to be determined. Any changes proposed shall be consistent with the intent of this illustration.

The Nickel Plate District is comprised of four distinct villages with its own unique character and form. These spaces, called Zones, approximate the size and shape of development within the District. The following are common elements throughout the Code:

1. The streets define an interconnected network, which disperses traffic among a variety of route options and mode types.
2. Streets are sized appropriately to their individual needs. The streets provide ample room for pedestrians while maintaining bicycle connectivity and appropriate levels of service for passenger vehicles.
3. Developments of all sizes have been accounted for by the Code and the availability of different building types and forms is based on the needs of each Zone.
4. Transitions between Zones and existing zoning districts have been addressed to make any District edges have appropriate transitions.

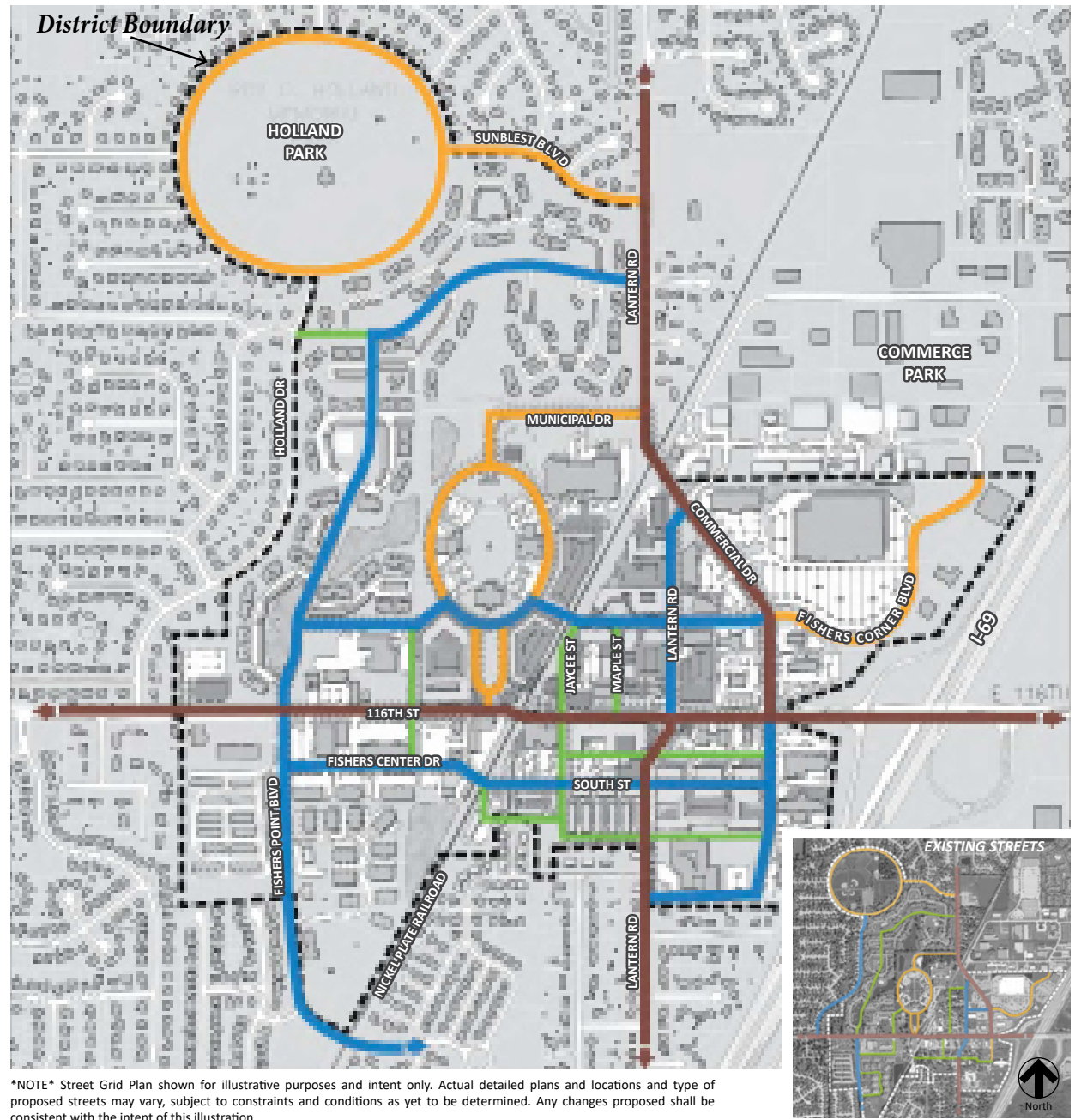
9.11: Future Street Network

The future street network, provided in Figure 9.5, illustrates the future connections desired as part of the Nickel Plate District Code. The terminology is the same as the existing street network, Section 9.8, and is based on Conceptual Master Plan and the street sections provided in Section 7.

LEGEND

	District Primary Arterial		District Collector
	District Secondary Arterial		District Local

Figure 9.5: Future Street Plan



9.12: Open Space

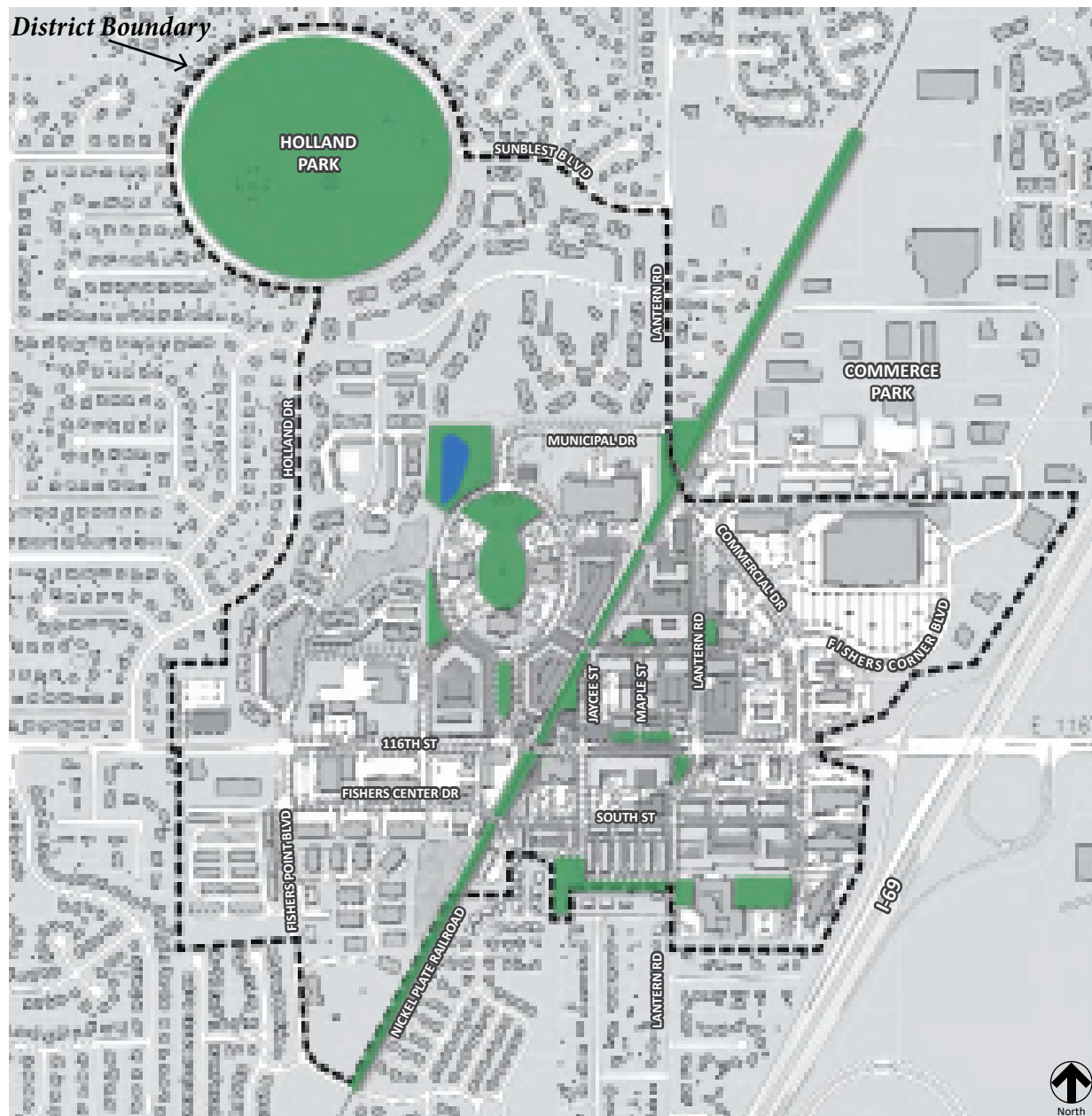
Open spaces in the Nickel Plate District include Holland Park, the Amphitheater, trails, the 116th Street Pocket Park, the Municipal Green, and several other smaller green areas. Some of these spaces are active, such as Holland Park, and some are passive, such as the Municipal Green. All of the spaces add to the character of the District and provide unique spaces for people.

The Nickel Plate District Code integrates these open spaces with the overall plan for the District. Holland Park will continue to serve as a regional park and will receive additional parking and connectivity. The municipal green spaces throughout the center of Town and the Municipal Center are also receiving additional parking but they will also have new, higher density development adjacent to them, which will bring additional users to the spaces.

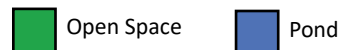
Though the build out of this Master Plan and Code will result in the loss of some municipal open spaces along 116th Street at Municipal Drive, the overall Plan will enhance the remaining spaces to make them even more valuable than before.

Figure 9.6 identifies the future open spaces and parks throughout the District according to the Conceptual Master Plan.

Figure 9.6: Future Open Space Plan



LEGEND



NOTE Open Space Plan shown for illustrative purposes and intent only. Actual detailed plans and locations of open space may vary, subject to constraints and conditions as yet to be determined. Any changes proposed shall be consistent with the intent of this illustration.

9.13: Future Pedestrian Network

The future pedestrian network, presented in Figure 9.7, is a precursor to the street standards presented in Section 7. These sidewalk and trail connections will provide safe connections to encourage residents to utilize their downtown. The connections that have been proposed in this figure will aid provide options for non-vehicular travel that do not currently exist.

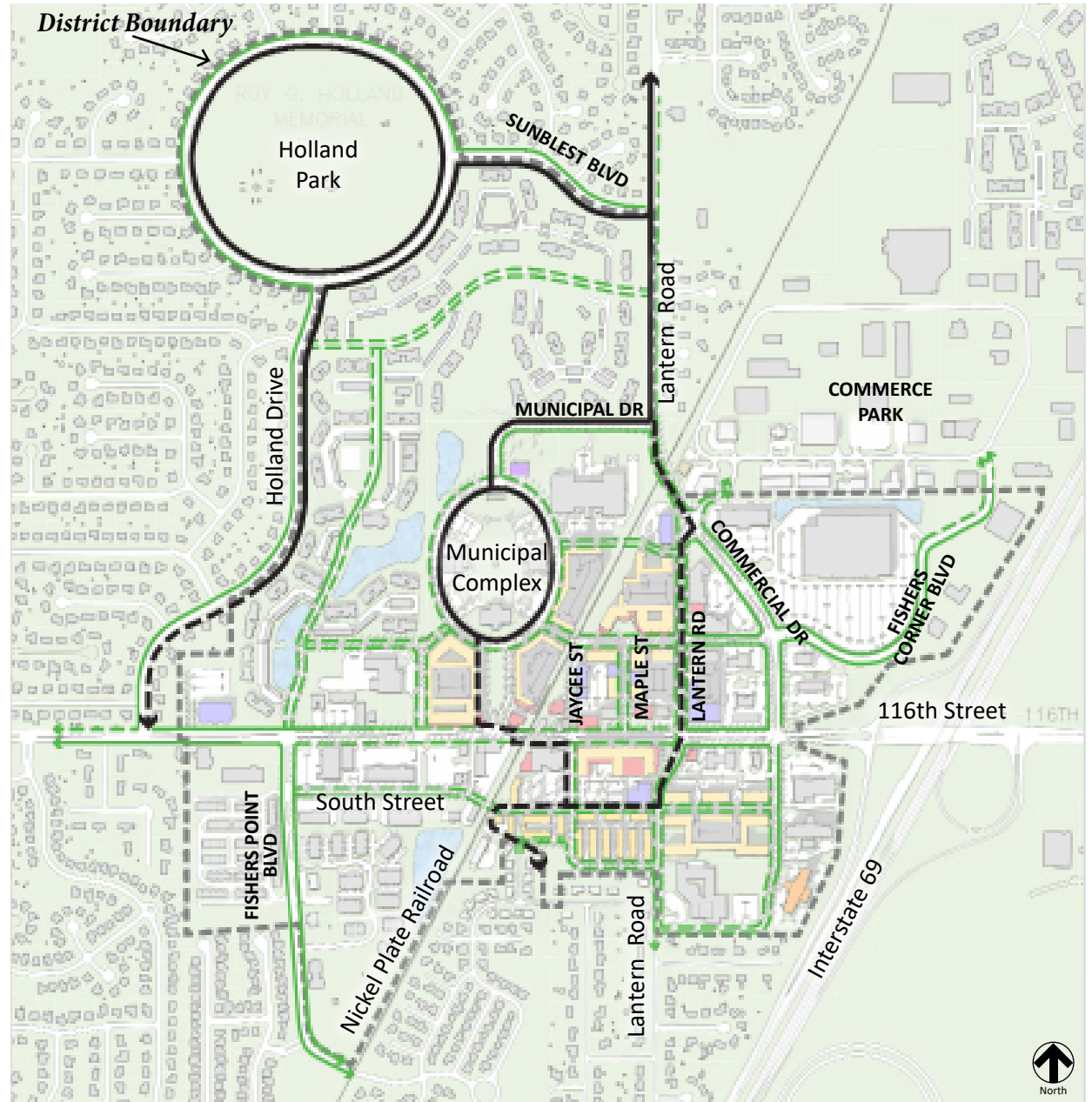
The pedestrian network provides connectivity along all of the Nickel Plate District's streets. Trail connections as well as on-street bike lanes are included on major corridors to promote regional connectivity.

This network interconnects with the regional network, which is presented in Figure 9.8.

Figure 9.7: Future Multi-Use Trail and Sidewalk Plan - District

LEGEND

-  Existing Multi-Use Trail
-  Future Multi-Use Trail
-  Existing Sidewalk
-  Future Sidewalk



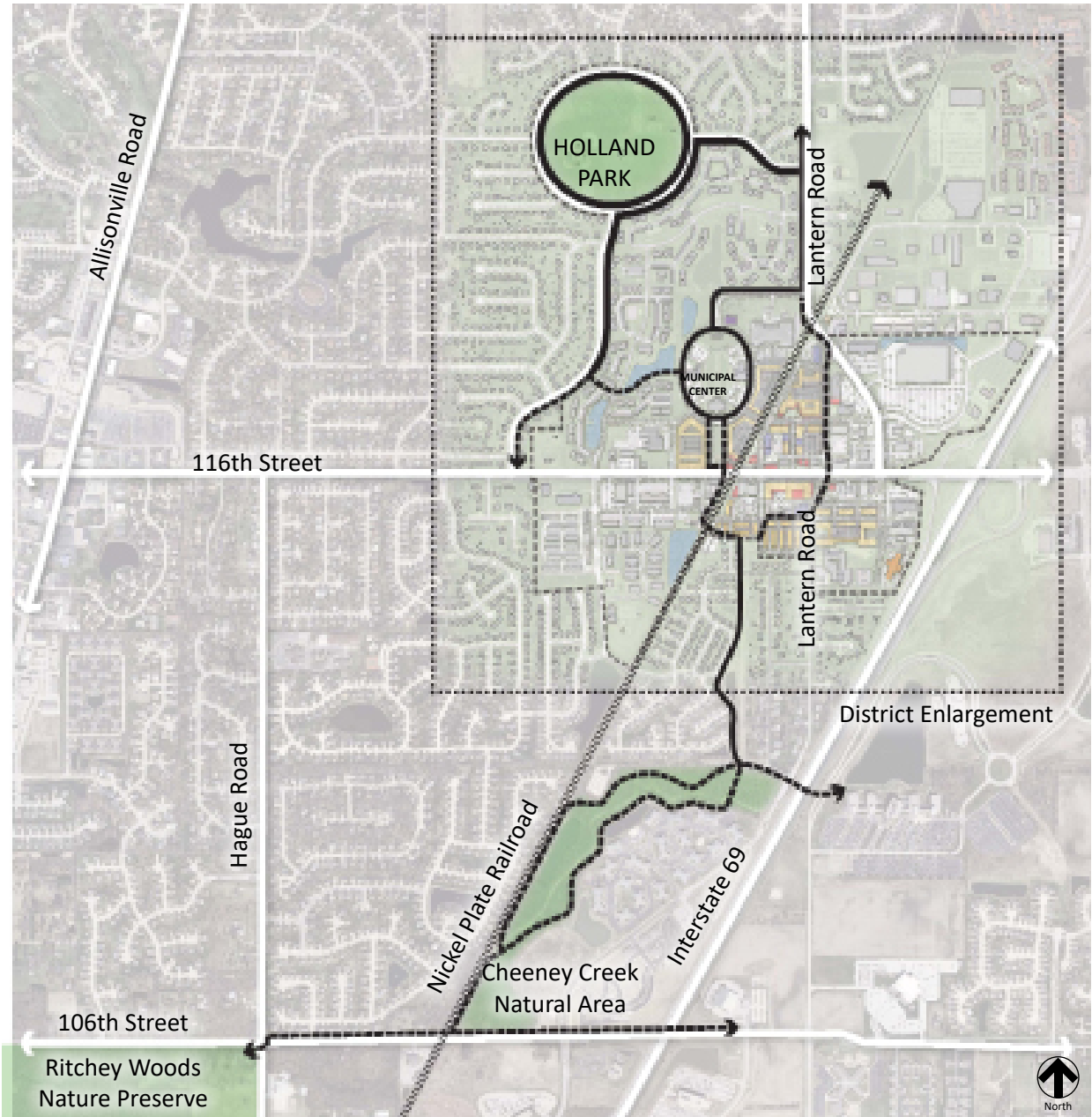
NOTE Multi-Use Trail and Sidewalk Plan shown for illustrative purposes and intent only. Actual detailed plans and locations of trails and sidewalks may vary, subject to constraints and conditions as yet to be determined. Any changes proposed shall be consistent with the intent of this illustration.

9.14: Regional Pedestrian Network

The regional pedestrian network provides residents an alternative to using their vehicle when traveling to and near the Nickel Plate District. Most of these connections are created using the Nickel Plate Trail, which extends from Conner Prairie, through the District, and then south where it will eventually cross Interstate 69 on 106th Street.

These regional connections also provide connectivity to potential future locations for transit services. Though stations were not formally announced at the inception of this Code, the trail network has been designed with the flexibility to add connections to these future destinations and the surrounding neighborhoods.

Figure 9.8: Future Multi-Use Trail Plan - Context



LEGEND

-  Major Road
-  Existing Multi-Use Trail
-  Future Multi-Use Trail

NOTE Multi-Use Trail Plan-Context shown for illustrative purposes and intent only. Actual detailed plans and locations of trails may vary, subject to constraints and conditions as yet to be determined. Any changes proposed shall be consistent with the intent of this illustration.