



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Planned Unit Development (PUD) Committee Meeting

DATE: 6/14/2023, at 4:00 PM

DIRECTIONS: City Services Building - Controller's Conference Room, 3 Municipal Drive, Fishers, IN 46038

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should contact Kelly Lewark, Office Manager, no later than forty-eight (48) hours before the scheduled event at (317) 595-3487 or via email at lewarkk@fishers.in.us.

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.

1. Regular PUD Committee

- a. Howard Stevenson, Pete Peterson, Shawn Curran, Emily Bowman, Megan Baumgartner
- b. **Whistle Drive Development CONTINUED From June 7, 2023 Meeting**
Case: PUD-23-4
Address: 11594 WHISTLE DR
Request: Consideration of architecture for a new multi-tenant building within the Stations at Fishers District PUD.
Petitioner: BW Development
Planner: Megan Vukusich, vukusichm@fishers.in.us

2. Riverplace PUD Committee

- a. Howard Stevenson, John Weingardt, Elliott Hultgren, Shawn Curran, Drew Bender

3. Staff Communication

- a. None



Planned Unit Development (PUD) Committee Staff Report

Meeting Date: June 14, 2023

DEPARTMENT CONTACT:

Megan Vukusich, vukusichm@fishers.in.us

CASE NUMBER:

PUD-23-4

PETITIONER:

BW Development

PROPERTY ADDRESS/LOCATION:

11594 Whistle Dr

REQUEST: Requesting site design and architectural approve for new office / retail building within the Stations at Fishers District PUD.

APPLICABLE REGULATIONS:

The Stations at Fishers
District PUD (Ord. #
031819B)

EXISTING ZONING:

The Stations at Fishers
District PUD

FISHERS 2040:

Regional Mixed Use

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve

☒ Approve with Conditions

☐ Continue

☐ Deny

ZONING HISTORY:

(317)595-3111

www.fishers.in.us

[facebook.com/fishers.indiana](https://www.facebook.com/fishers.indiana)

[@fishersin](https://www.instagram.com/fishersin)

One Municipal Drive
Fishers, Indiana 46038

The Stations at Fishers District PUD, PUD Ordinance number 031819B was originally approved on March 18, 2019. Prior to the rezone, the site was a single-family residence. Today, the PUD district features townhomes, a hotel and commercial structures. The original concept plan for the PUD District does show a building on this parcel as a Mixed Retail / Office building which is what is currently being proposed.

The PUD Committee formally approved architecture for a building on this property under case PUD-19-16 on December 4, 2019.

Approved Architecture under PUD-19-16



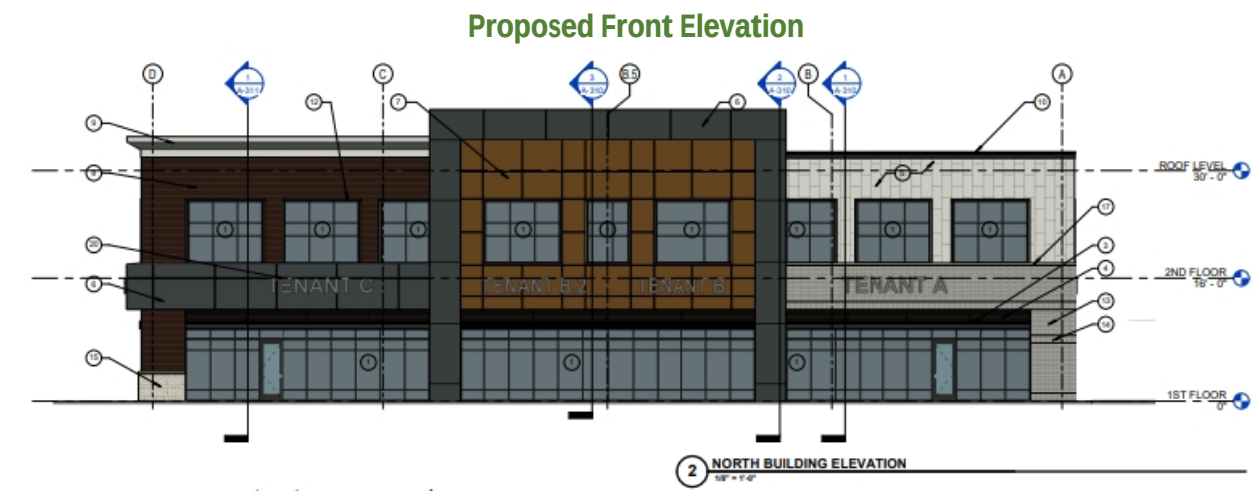
PETITION OVERVIEW:

The applicant, Nicholas Vergatos of JPS Consulting Engineers, is requesting architectural and site design approval for a new build retail / office mixed use structure. The PUD included illustrative architectural exhibits to dictate the design for the future mixed retail / office building on the subject site. The design features a modern look with elements of masonry and pops of color, featuring multiple levels and many windows. Please see an excerpt from the PUD below.

Architectural Rendering from PUD Ordinance



The proposed design includes many elements featured in the PUD architectural exhibit including elements of masonry, a variety of exterior materials, and a large amount of glazing. The new building is proposed to be 2-stories and therefore has a different building form. However, pedestrian scale elements have been added including multiple entryways and banding around the first floor. Four sided elevations are included in the Petitioner Packet.



PUBLIC ART

The PUD Committee approved a Creative Sign Package for this area under PUD-20-10 on November 4, 2020. As a part of that approval, public art was agreed to on the south elevation

of the building to be constructed on this property.

Approved Art Mural on South Elevation PUD-20-10



The petitioner has agreed to incorporate public art into their development and has identified an area on the site plan included in the Petitioner Packet. Staff has requested additional information on the planned public art as a part of their architectural approval.

STAFF RECOMMENDATION:

The site design and architectural elevations went before the Technical Advisory Committee (TAC) on 4/27/23. Staff recommends approval on the conditions:

- All TAC comments are addressed before final approval is given
- Public Art be incorporated into the development. The petitioner shall continue to work with staff on the details of the planned public art.
- Material changes per staff request. Additional comments from Veridus will be provided prior to the meeting.

STAFF RECOMMENDATION

☐ Approve ☒ Approve with Conditions ☐ Continue ☐ Deny



WHISTLE DRIVE DEVELOPMENT
EXTERIOR PERSPECTIVE
05.24.2023



5.4.200 - ELEVATION NOTES	
Key	Note
1	STOREFRONT SYSTEM - BLACK
2	CURTAIN WALL SYSTEM - BLACK
3	MANUFACTURED CANTILEVER CANOPY SYSTEM
4	MECHANICAL LOUVERS FOR CEILING MOUNTED TENANT EXHAUST. SEE MECHANICAL SHEETS
5	METAL PLATE WALL PANEL - METAL PANEL TYPE A
6	ACM WALL PANEL SYSTEM - METAL PANEL TYPE B
7	ACM OPEN JOINT WALL PANEL SYSTEM - METAL PANEL TYPE C
8	EXTRUDED ALUMINUM CHANNEL PLANK SYSTEM - METAL PANEL TYPE D
9	CUSTOM METAL PLATE WALL CORNICE - COPING TYPE A
10	MANUFACTURED REVEAL COPING - COPING TYPE B
11	MANUFACTURED FASCIA TO COINCIDE WITH REVEAL COPING - COPING TYPE C
12	3" WINDOW SURROUND
13	FULL BED DEPTH UTILITY BRICK - BRICK TYPE A
14	FULL BED DEPTH UTILITY BRICK SOLDIER COURSE - BRICK TYPE A
15	3 5/8" BURNISHED BLOCK W/ PATTERN PATTERN - BLOCK TYPE A
16	8" BURNISHED BLOCK - BLOCK TYPE B
17	STONE SILL - PROFILE TYPE A
18	MASONRY CAP - PROFILE TYPE B
19	HOLLOW METAL DOOR SEE DOOR SCHEDULE
20	CHANNEL LETTER SIGN BY OTHERS
21	METAL PANEL GATE FOR DUMPSTER ENCLOSURE
22	SILICONE BUTT GLAZE MULLION TO CONNECT BACK TO SLAB

EXTERIOR FINISH SCHEDULE			
THIS LEGEND IS PROVIDED FOR REFERENCE PURPOSES ONLY. PRODUCTS/COLORS INDICATED ARE BASED ON BASIS OF DESIGN MANUFACTURERS. REFER TO SPECIFICATIONS FOR LIST OF ACCEPTED EQUAL MANUFACTURES/PRODUCTS.			
MAT'L	MARK	COLOR	MANUFACTURER
FACE BRICK	A	DOVE GREY	CLOUD CERAMICS, UTILITY, VELOUR
BURNISHED BLOCK	A	SOLSTICE (63-219C)	COUNTY MATERIALS, PREMIER ULTRA BURNISHED BLOCK.
		MOONBEAM (63-214A)	4FT - 4"Wx16"Lx8"H 412F24 - 4"Wx24"Lx12H 44F24 - 4"Wx24"Lx4"H
		DUSK (63-243A)	EVEN MIX OF COLOR, SEE IMAGE FOR PATTERN
	B	SOLSTICE (63-219C)	COUNTY MATERIALS, PREMIER ULTRA BURNISHED BLOCK. 4F - 4"Wx16"Lx8"H
METAL WALL PANEL	A	PAC CLAD - ALMOND	DIVISION 7 - DPS PANEL
	B	ALFREX - DARK GRAY JY-6140	DIVISION 7 - FUSION PANEL
	C	PAC CLAD - COPPER PENNY	DIVISION 7 - EDGE PANEL
	D	DARK WALNUT	LONGBOARD
FASCIA, COPINGS	A	PAC CLAD - ALMOND	2 PIECE BREAK METAL
	B	BLACK	HICKMAN - CREATIVE DESIGN SHADOW COPING
	C	BLACK	HICKMAN - CREATIVE DESIGN BOX FACE COPING
SEALANTS		COLOR TO MATCH ADJACENT FINISH	SEE SEALANT SCHEDULE ON A-002 FOR ACCEPTABLE MFRS
HM DOORS AND FRAMES		COLOR TO MATCH ALFREX - DARK GREY	
ALUM. STOREFRONT CURTAINWALL		BLACK	KAWNEER OR TUBELITE
GLAZING	INSUL GLASS	BLACK - ARGON	VIRACON - 1" VNG1-4022 INSULATING HSHS
	SPAND. GLASS	V953 - MEDIUM GRAY	VIRACON - 1" VNG1-4022 INSULATING HSHS
LOUVERS		BLACK	SEE MEP DWGS
METAL GATE	TUBE STEEL	BLACK	
	METAL PANNELLING	COLOR TO MATCH ALMOND	
METAL CANOPY		BLACK	MAPES CANTILEVER, FLAT SOFFIT, 12" SMOOTH FACE FASCIA, SUPER LIMDECK MOUNTING

5.4.200 - PROFILE LEGEND			
1 1/2" = 1'-0"			
STONE TRIM UNIT TYPE-A			
MASONRY CAP UNIT TYPE-S			

RQAW

DCCM

PERMIT SET

BW DEVELOPMENT

WHISTLE DRIVE DEVELOPMENT

Lot 42 in The Stations at Fishers District

15594 Whistle Drive, Fishers, IN 46038

Project # 23-700-025-1

Designed By: HL

Drawn By: TP

Checked By: MG

Date: 05.10.2023

CHIEF FRANCIS CARROLL

REGISTERED ARCHITECT

No. 10700168

STATE OF INDIANA

These Drawings and Specifications, and all copies thereof are and shall remain the property and copyright of the Architect. They shall be used only with respect to this Project and are not to be used on any other Project or Work without prior written permission from the Architect

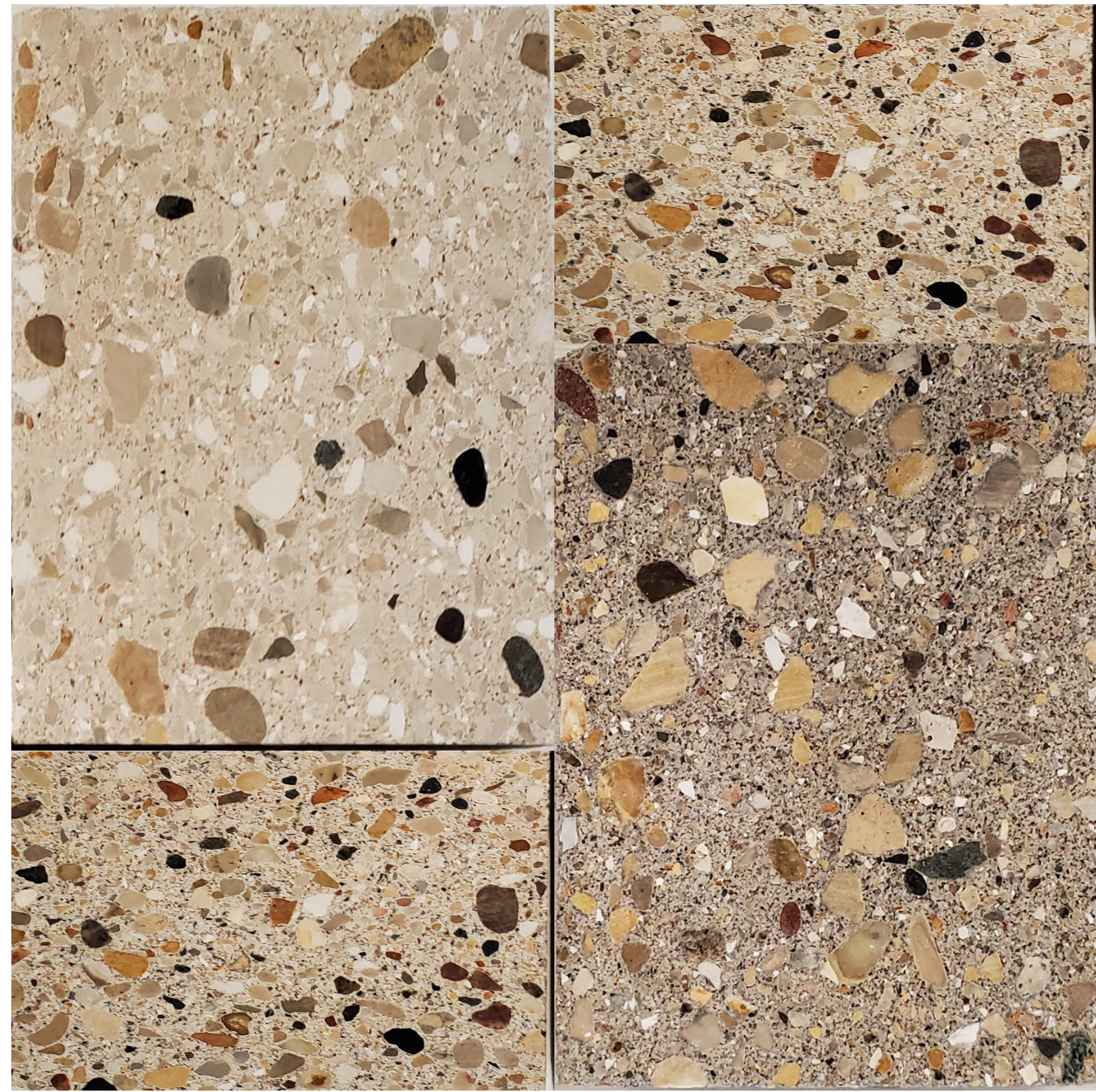
OVERALL BUILDING ELEVATIONS

A-200

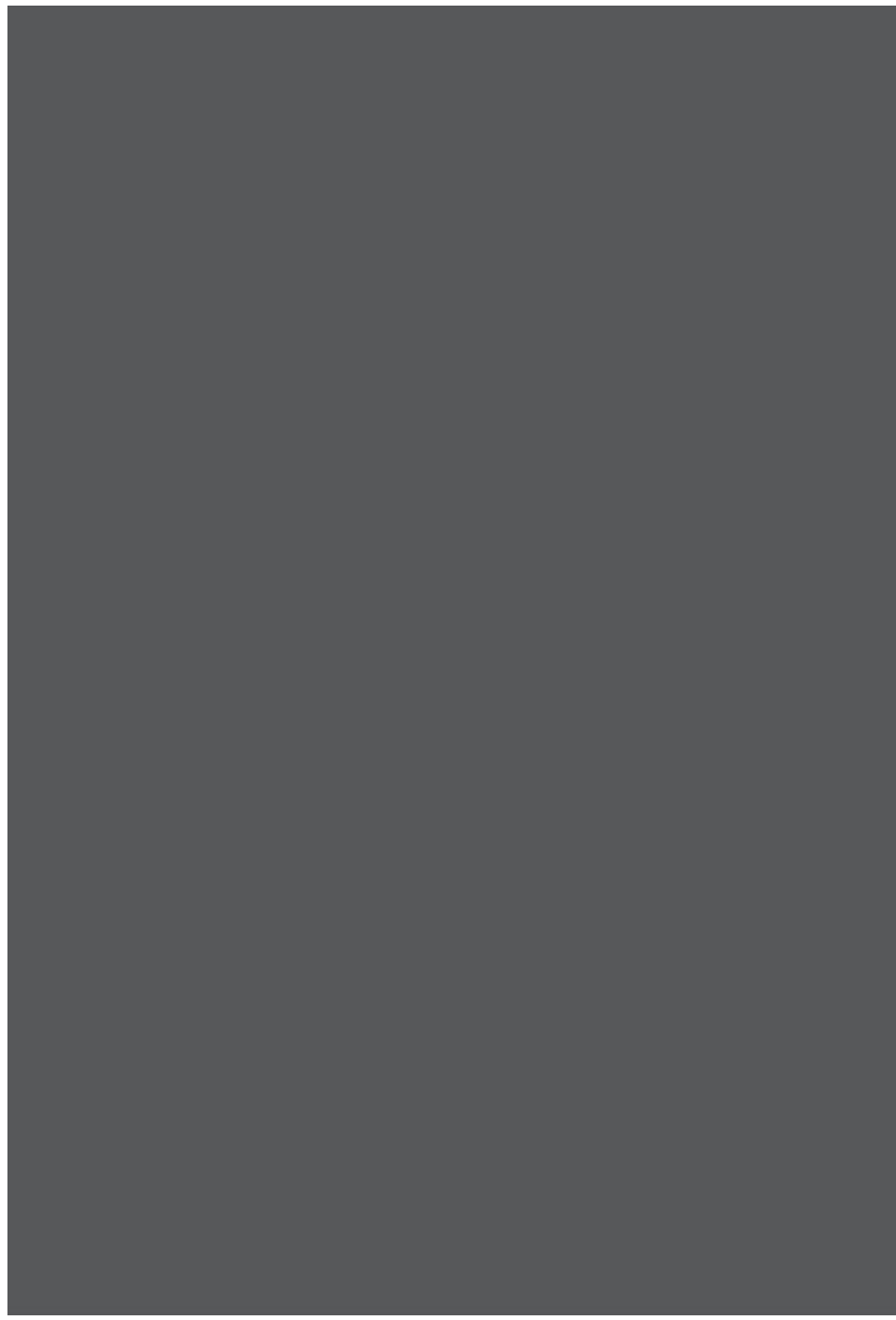
Page 8 of 67



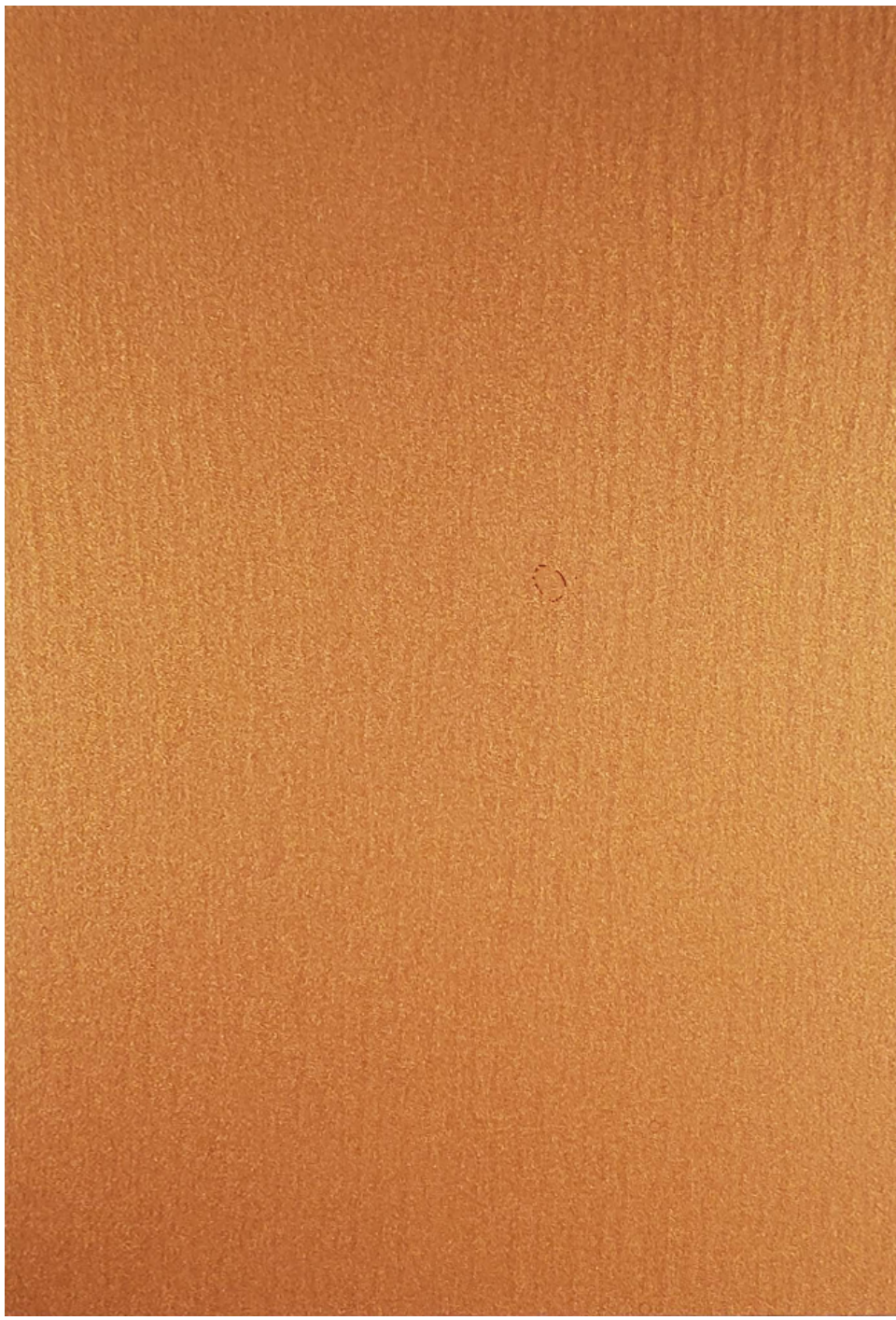
DARK WALNUT: LONGBOARD OR FAST PLANK



COUNTY MATERIALS - SOLSTICE,
MOONBEAM, DUSK BURNISHED BLOCK



ALFREX - DARK GRAY



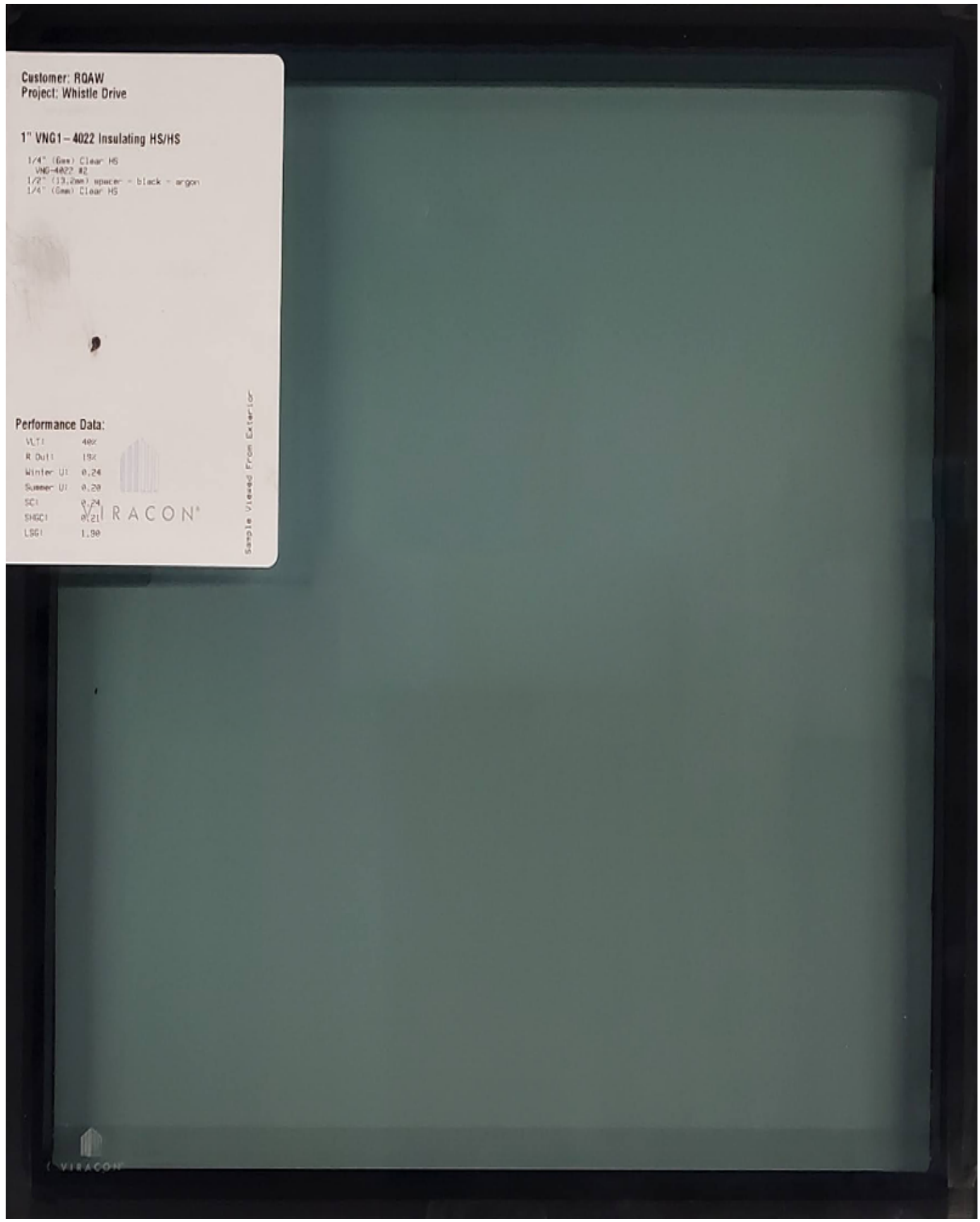
PAC-CLAD - COPPER
PENNY



HICKMAN - BLACK



PAC-CLAD - ALMOND



VIRACON - 1" VNG1-4022, BLACK - ARGON

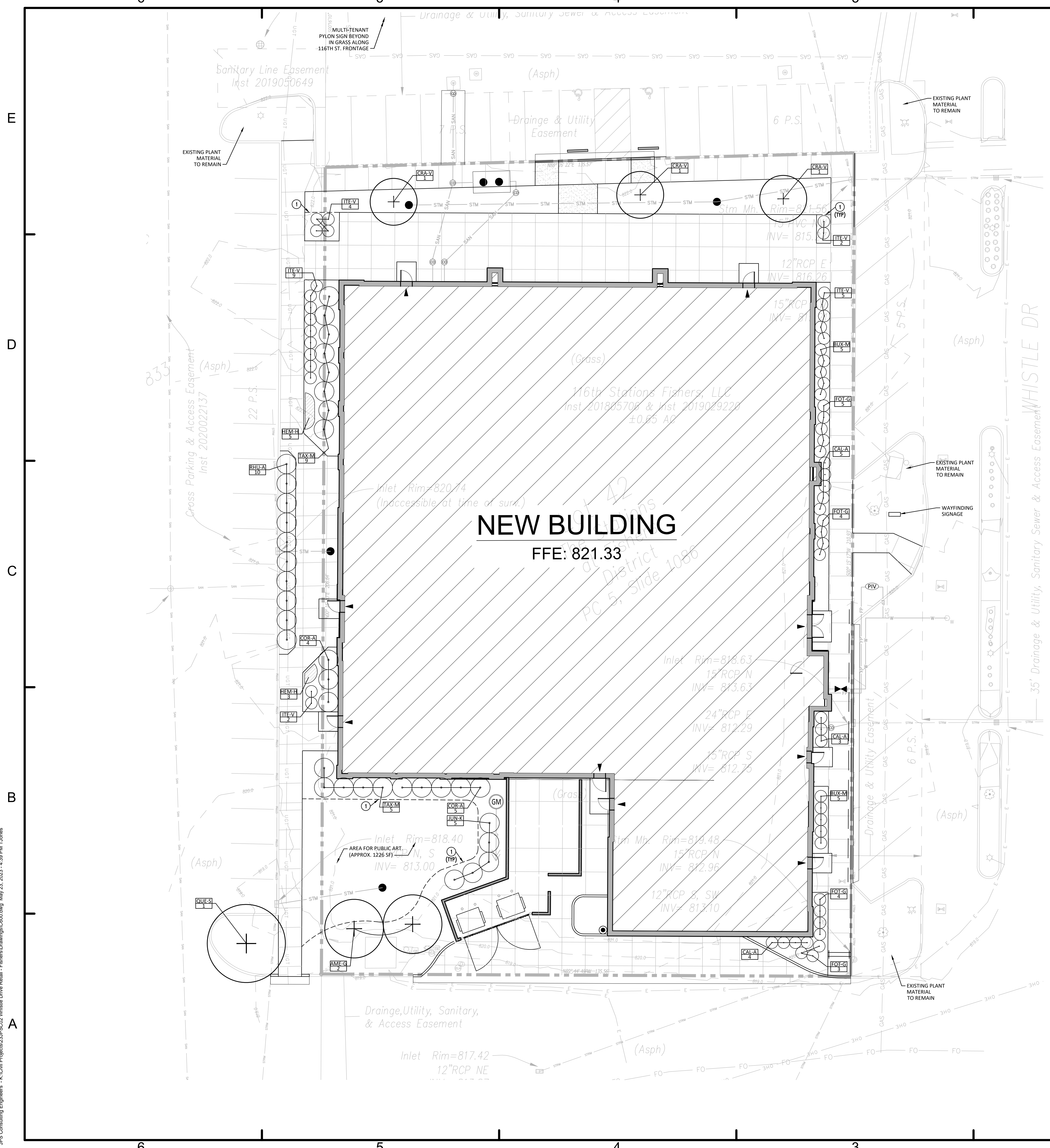
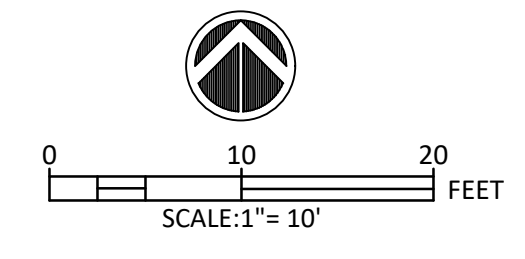


CLOUD CERAMICS: DOVE GREY

GENERAL NOTES
A. REFER TO LANDSCAPE DETAILS ON C700 FOR NOTE REFERENCES.
B. ALL DISTURBED LAWN AREAS TO BE SEEDDED UNLESS OTHERWISE NOTED.
PLAN NOTES
1. SPADE EDGE.

ORDINANCE SECTION	DESCRIPTION	MEASUREMENT	PLANTINGS REQUIRED	PLANTINGS PROVIDED
1.04-H(2)(i)	FOUNDATION PLANTINGS AT LEAST 2 SHRUBS, ORNAMENTAL GRASSES, AND/OR ORNAMENTAL TREES SHALL BE PLANTED FOR EVERY 12 LINEAL FEET OF BUILDING CIRCUMFERENCE EXCLUSIVE OF LOADING DOCK OPENINGS.	514 LF	86 SHRUBS	89 SHRUBS
6.7.6	STREET TREES 1 CANOPY TREE PER 40' OF STREET	135 LF	3 TREES	3 TREES
6.7.5	LOT PLANTINGS 1 CANOPY TREE PER LOT SIZE BETWEEN 15,000 - 45,000 SF.	28,314 SF	3 TREES	3 TREES

COUNT	MARK	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
SHADE TREES					
1	QUE-S	QUERCUS SHUMARDII	SHUMARD OAK	2 1/2"-3" CAL	B&B
ORNAMENTAL TREES					
2	AME-G	AMELANCHIER x GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	8' HEIGHT	MULTI-STEM, B&B
3	CRA-V	CRATAEGUS VIRIDIS 'WINTER KING'	WINTER KING HAWTHORN	1 1/2"-2" CAL	B&B
EVERGREEN SHRUBS					
10	BUX-M	BUXUS 'GREEN VELVET'	GREEN VELVET BOXWOOD	18"-24"	3' O.C.
5	JUN-K	JUNIPERUS CHINENSIS 'KALLAY'S COMPACT'	KALLAY JUNIPER	18"-24"	5' O.C.
14	TAX-M	TAXUS x MEDIA 'DENSIFORMIS'	DENSE SPREADING YEW	18"-24"	5' O.C.
SHRUBS					
9	COR-A	CORNUS ALBA 'IVORY HALO'	VARIEGATED RED TWIG DOGWOOD	24"-30"	5' O.C.
18	FOT-G	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	18"-24"	3' O.C.
21	ITE-V	ITEA VIRGINICA 'SPRICH'	LITTLE HENRY SWEET SPIRE	18"-24"	3' O.C.
10	RHU-A	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	18"-24"	5' O.C.
GRASSES					
12	CAL-A	CALAMAGROSTIS x ACUTIFLORA 'KARL FOERSTER'	KARL FOERSTER'S FEATHER REED GRASS	#2 CONT.	3' O.C.
PERENNIALS					
8	HEM-H	HEMEROCALLIS 'HAPPY RETURNS'	HAPPY RETURNS DAYLILY	#1 CONT.	2' O.C.



2019010417 ORDI \$25.00
03/25/2019 12:27:41PM 17 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented



JDB

THE STATIONS AT FISHERS DISTRICT PUD



City of Fishers
Planned Development
Ordinance
No. 031819B

Year
2019

THE STATIONS AT FISHERS DISTRICT PUD

City of Fishers
Planned Development
Ordinance
No. 031819B

THE STATIONS AT FISHERS DISTRICT PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
Ordinance No. 031819B (this Ordinance) Adopted: <u>3/18/2019</u> The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the City of Fishers Official Zoning Map, as amended, which accompanies and is a part of the UDO are hereby amended as follows: The zoning classification of the real estate legally described in Section 1.12 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development Mixed-Use (PUD-M), and that said PUD zoning district shall hereafter be known as "The Stations at Fishers District PUD." Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and its exhibits and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance. All previous PUD Ordinances, and amendments thereto, applicable to the Real Estate are hereby repealed.	The purpose of this PUD is to encourage improved design in the development of land by promoting greater flexibility in applying the UDO to the development of the Real Estate.	All uses described in the C3 Commercial District, and • Coffee House • Food truck • Indoor entertainment In addition, the following uses shall be permitted: • Multi-unit living and related amenities • Townhouse The following uses are prohibited: • Vehicle sales • Vehicle repair (minor) • Vehicle repair (major) • Car wash • Vehicle fuel sales • Mortuary • Place of worship • Tattoo parlor • Piercing studio • Massage parlor (specifically not including massage services that are part of a high-end day spa or other similar use) • Alternative financial services (e.g., refund anticipation loan lenders, title loan businesses, short-term loan providers, cash for precious metal stores and pawn shops)(specifically not including retail services such as Fidelity, Jackson Hewitt, Charles Schwab, and similar concepts) • Day care, adult • Adult entertainment establishment • Head shop and hookah lounge (specifically not including a cigar bar or lounge, such as Blend, that also offers retail sales and on-site consumption of cigars and cigar related accessories) • Second hand or government surplus store

THE STATIONS AT FISHERS DISTRICT PUD

1.02 Applicability

- A. The standards of the UDO applicable to the C3 *Commercial District* and the M2 *Multi-Family Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Section 1.3.6 Transition Ordinance* shall also apply to amendments.

1.03 Concept Plan

- A. The Concept Plan, attached hereto as **Exhibit A**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* shall not apply. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of The Stations at Fishers District PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

1.04 Development Standards for Commercial Area (as shown on the Concept Plan)

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

THE STATIONS AT FISHERS DISTRICT PUD

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

THE STATIONS AT FISHERS DISTRICT PUD

1.05 Design Standards for Commercial Area

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

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

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

THE STATIONS AT FISHERS DISTRICT PUD

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

1.07 Design Standards for Residential Area

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

THE STATIONS AT FISHERS DISTRICT PUD

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

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

1.08 Floodplain Standards for Real Estate

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

1.09 Procedures

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

1.10 PUD Expiration

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

THE STATIONS AT FISHERS DISTRICT PUD

03/18/19 B

Year
2019

1.11 Adoption

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

APPROVED by the Common Council of the City of Fishers this 18th day of March, 2019.

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

AYE
Richard W. Block

Richard W. Block,
President

Eric Moeller,
Vice-President

Cecilia Coble,
District At Large

Todd Zimmerman,
District At Large

Brad DeReamer,
District NE

David C. George,
District SW

Pete Peterson,
District SE

Selina Stoller,
District NW

John Weingardt,
District SC

X David C. George

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

ATTEST:

Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

3/18/2019
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

Approved by: Chris Greisl, City of Fishers, City Attorney
Prepared by: Steven D. Hardin, Esq.,
Faegre Baker Daniels LLP, 600 East 96th Street, Suite 600,
Indianapolis, Indiana 46240. (317) 569-9600.

In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Mark R. Leach

THE STATIONS AT FISHERS DISTRICT PUD

1.12 Real Estate

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

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

And

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

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

EXCEPT THEREFROM:

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

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

Exhibit A - Concept Plan



Exhibit B - Illustrative Architectural Exhibit

Mixed Retail/Office Building



Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with dark brick color scheme



Exhibit B - Illustrative Architectural Exhibit

Front load townhome with dark brick color scheme

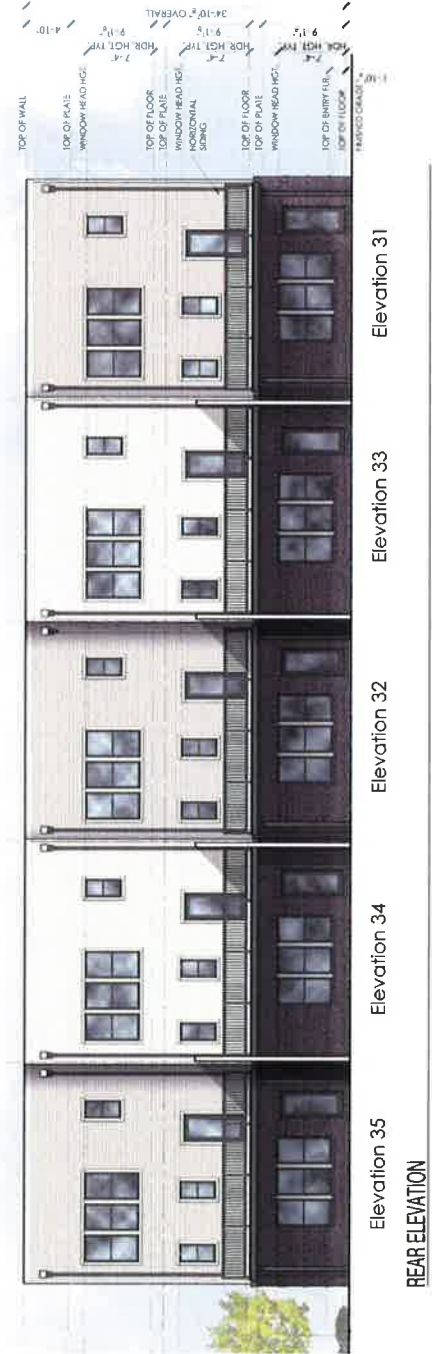
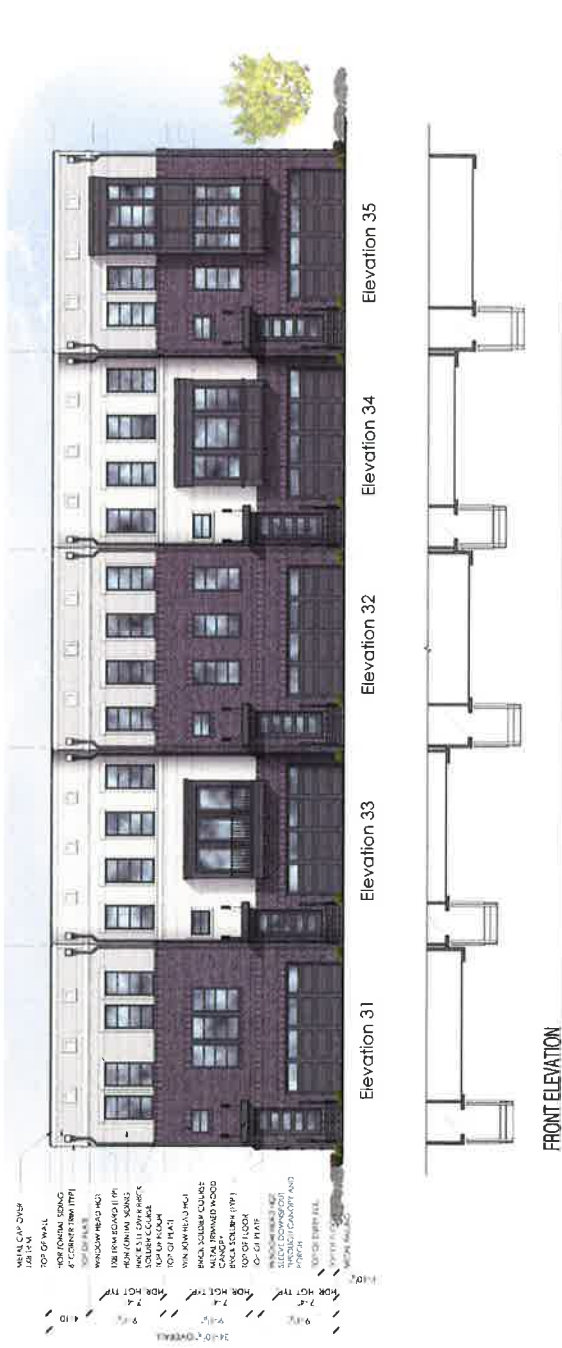


Exhibit B - Illustrative Architectural Exhibit

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

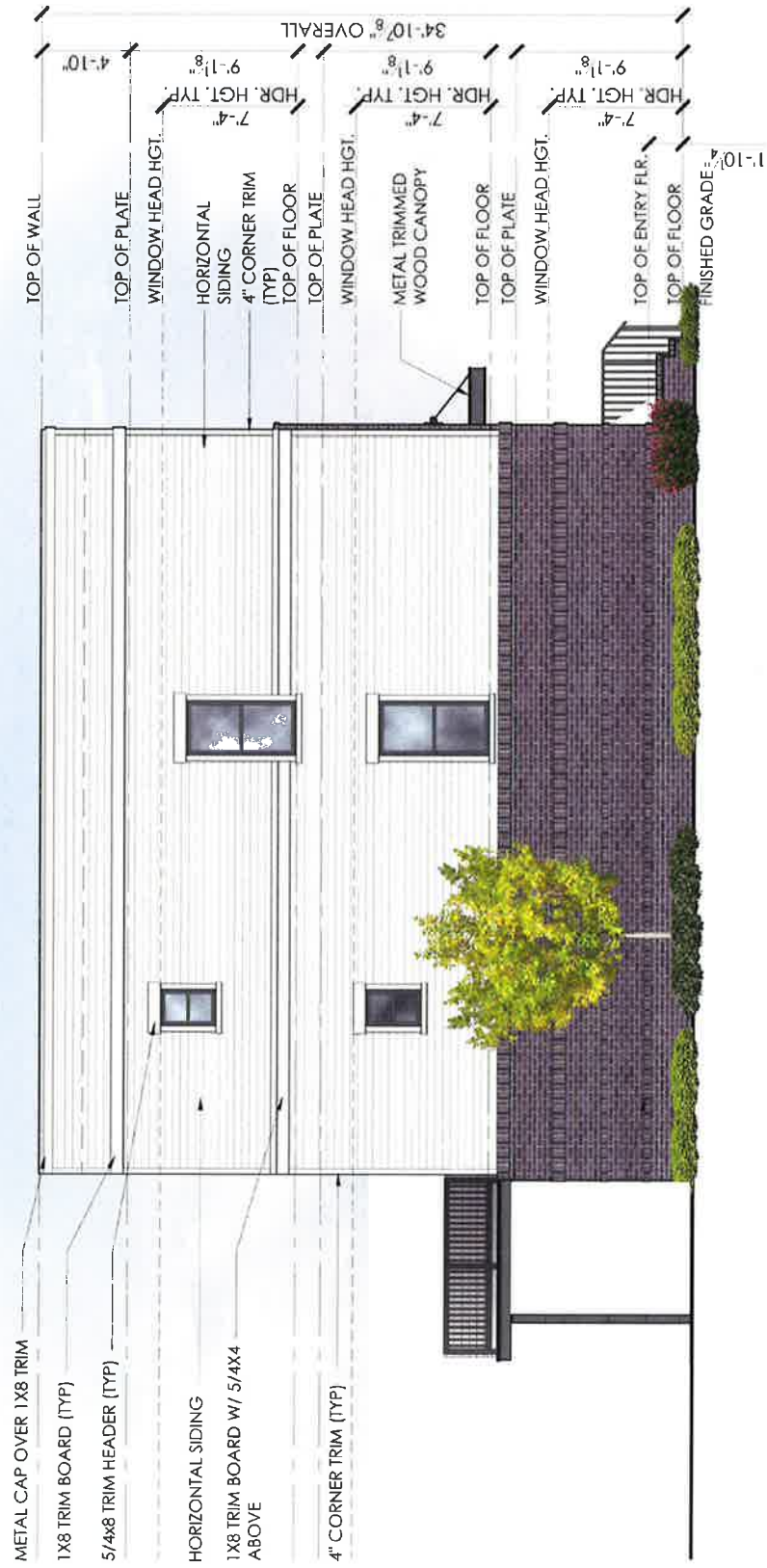


Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with light brick color scheme



Exhibit B - Illustrative Architectural Exhibit

Front load townhome with light brick color scheme



Exhibit B - Illustrative Architectural Exhibit

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



THE STATIONS AT FISHERS DISTRICT PUD

03/18/19 B

Year
2019

1.11 Adoption

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

APPROVED by the Common Council of the City of Fishers this 18th day of March, 2019.

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

NAY

AYE
Richard W. Block

Richard W. Block,
President

Eric Moeller,
Vice-President

Cecilia Coble,
District At Large

Todd Zimmerman,
District At Large

Brad DeReamer,
District NE

David C. George,
District SW

Pete Peterson,
District SE

Selina Stoller,
District NW

John Weingardt,
District SC

X David C. George

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

ATTEST:

Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

3/18/2019
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

Approved by: Chris Greisl, City of Fishers, City Attorney

Prepared by: Steven D. Hardin, Esq.,
Faegre Baker Daniels LLP, 600 East 96th Street, Suite 600,
Indianapolis, Indiana 46240. (317) 569-9600.

In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Mark R. Leach

THE STATIONS AT FISHERS DISTRICT PUD

1.12 Real Estate

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

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

And

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

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

EXCEPT THEREFROM:

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

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

Exhibit A - Concept Plan



Exhibit B - Illustrative Architectural Exhibit

Mixed Retail/Office Building



Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with dark brick color scheme



Front load townhome with dark brick color scheme



Exhibit B - Illustrative Architectural Exhibit

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



Exhibit B - Illustrative Architectural Exhibit

Rear load townhome with light brick color scheme



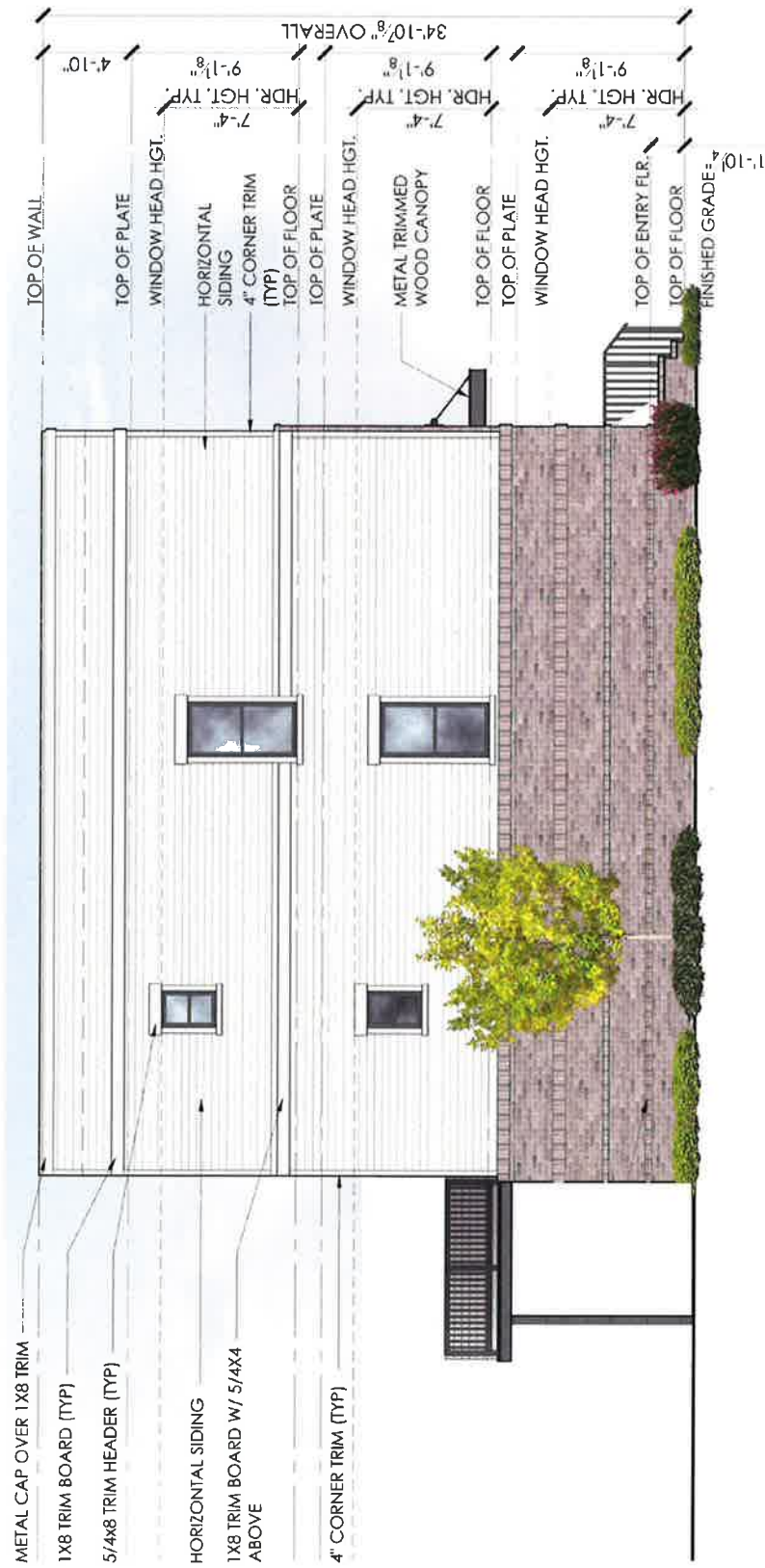
Exhibit B - Illustrative Architectural Exhibit

Front load townhome with light brick color scheme



Exhibit B - Illustrative Architectural Exhibit

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





CITY COUNCIL STAFF REPORT

DEPARTMENT CONTACT:

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

DOCKET NUMBER:

Ord. #031819B

PETITIONER/PROPERTY OWNER:

Faegre Baker Daniels on behalf of Thompson Thrift Dev.

MEETING DATE:

Monday March 18, 2019
Fishers City Hall Auditorium

PROPERTY ADDRESS/LOCATION:

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

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

SIZE OF PROPERTY:

8.67 +/- acres

EXISTING ZONING:

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

EXISTING LAND USE:

Vacant

PROJECT SUMMARY:

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

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

LOCATION MAP:


STAFF RECOMMENDATION

☒ APPROVE	☐ APPROVE WITH CONDITIONS	☐ DENY	☐ CONTINUE
--	---	--------------------------------------	--

ATTACHMENTS

☒ **SUBMITTED PLANS**

☐ **AGENCY COMMENTS**

☐ **PUBLIC COMMENTS**

☐ **OTHER**

PETITION HISTORY:

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

PETITION OVERVIEW:

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

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

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

In addition, the follow uses are permitted:

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

Several uses are prohibited, including but not limited to:

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

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

PUBLIC COMMENTS:

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

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

PUD COMMITTEE:

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

ADVISORY PLAN COMMISSION:

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

STAFF COMMENTS:

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

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

ATTACHMENTS:

- 1) Ordinance
- 2) Petitioner Packet

The Stations

Planned Unit Development



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

City Council | March 18, 2019

TABLE OF CONTENTS	
THE STATIONS PUD	

Applicant:
Thompson Thrift
Development, Inc.

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

111 Monument Circle
Suite 1600
Indianapolis, IN 46204

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

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

Telephone: 317.569.9600

TABLE OF CONTENTS

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

TAB 1

EXECUTIVE SUMMARY	
THE STATIONS PUD	

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

PUD Committee Review and Recommendation:

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

Plan Commission Update:

On March 6, 2019, the Plan Commission held the public hearing on this proposal. No remonstrance was made, and, after conducting the public hearing, the Plan Commission voted unanimously to forward the proposed PUD Ordinance to the City Council with a favorable recommendation.

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

Thank you for your consideration.

TAB 2

AERIAL LOCATION MAP

THE STATIONS PUD



Real Estate

TAB 3





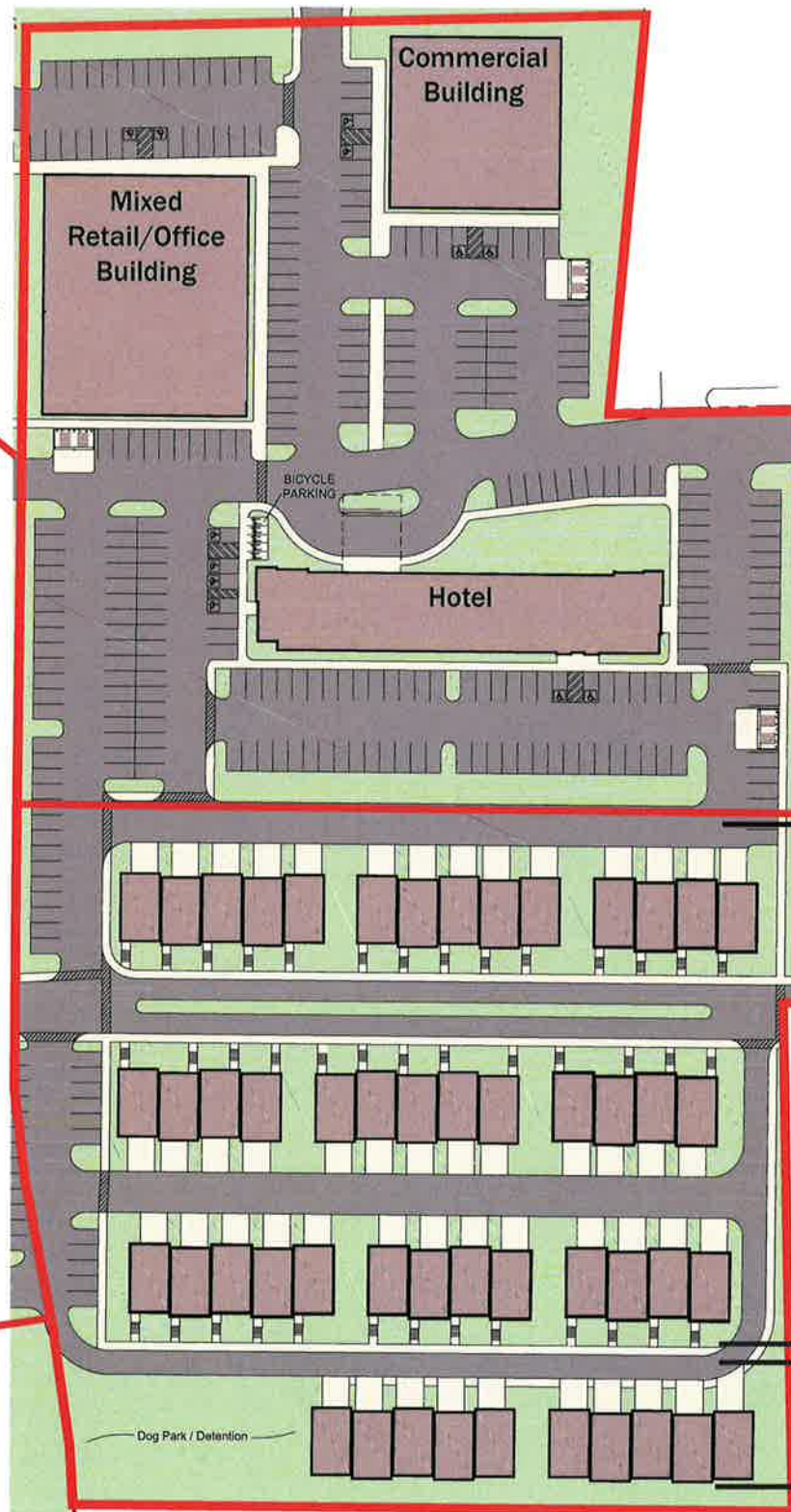
TAB 4

CONCEPT PLAN

THE STATIONS PUD



Commercial Area



Rear Load Townhomes

Residential Area

Front Load Townhomes

TAB 5

MIXED RETAIL/OFFICE BUILDING RENDERINGS

THE STATIONS PUD



North and East Elevations



North and West Elevations

TAB 6

TOWNHOME ELEVATIONS

THE STATIONS PUD



Rear load townhome with dark brick color scheme



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



TOWNHOME ELEVATIONS	
THE STATIONS PUD	

TOWNHOME ELEVATIONS	
THE STATIONS PUD	



Front load townhome with light brick color scheme



TAB 7

Year
2019

THE STATIONS AT FISHERS DISTRICT PUD

City of Fishers
Planned Development
Ordinance
No. 031819B

THE STATIONS AT FISHERS DISTRICT PUD

1.01 Declaration, Purpose and Intent, and Permitted Uses

Declaration	Purpose and Intent	Permitted Uses
Ordinance No. 031819B (this Ordinance) Adopted: <u>031819B</u> The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the City of Fishers Official Zoning Map, as amended, which accompanies and is a part of the UDO are hereby amended as follows: The zoning classification of the real estate legally described in Section 1.12 of this Ordinance (the "Real Estate"), is hereby designated as a Planned Unit Development Mixed-Use (PUD-M), and that said PUD zoning district shall hereafter be known as "The Stations at Fishers District PUD." Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and its exhibits and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance. All previous PUD Ordinances, and amendments thereto, applicable to the Real Estate are hereby repealed.	The purpose of this PUD is to encourage improved design in the development of land by promoting greater flexibility in applying the UDO to the development of the Real Estate.	All uses described in the C3 Commercial District, and • Coffee House • Food truck • Indoor entertainment In addition, the following uses shall be permitted: • Multi-unit living and related amenities • Townhouse The following uses are prohibited: • Vehicle sales • Vehicle repair (minor) • Vehicle repair (major) • Car wash • Vehicle fuel sales • Mortuary • Place of worship • Tattoo parlor • Piercing studio • Massage parlor (specifically not including massage services that are part of a high-end day spa or other similar use) • Alternative financial services (e.g., refund anticipation loan lenders, title loan businesses, short-term loan providers, cash for precious metal stores and pawn shops)(specifically not including retail services such as Fidelity, Jackson Hewitt, Charles Schwab, and similar concepts) • Day care, adult • Adult entertainment establishment • Head shop and hookah lounge (specifically not including a cigar bar or lounge, such as Blend, that also offers retail sales and on-site consumption of cigars and cigar related accessories) • Second hand or government surplus store

THE STATIONS AT FISHERS DISTRICT PUD

1.02 Applicability

- A. The standards of the UDO applicable to the C3 *Commercial District* and the M2 *Multi-Family Residential District* shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Section 1.3.6 Transition Ordinance* shall also apply to amendments.

1.03 Concept Plan

- A. The Concept Plan, attached hereto as **Exhibit A**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* shall not apply. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development Plan's compatibility and consistency with the intended quality and character of The Stations at Fishers District PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

1.04 Development Standards for Commercial Area (as shown on the Concept Plan)

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

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

THE STATIONS AT FISHERS DISTRICT PUD

1.05 Design Standards for Commercial Area

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

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

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

THE STATIONS AT FISHERS DISTRICT PUD

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

1.07 Design Standards for Residential Area

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

THE STATIONS AT FISHERS DISTRICT PUD

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

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

1.08 Floodplain Standards for Real Estate

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

1.09 Procedures

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

1.10 PUD Expiration

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



Council Action Form

MEETING DATE	March 18, 2019			
TITLE	Request to approve The Stations at Fishers District rezone, 8.67 acres located at 9712 and 9799 E. 116th Street - Final Reading			
SUBMITTED BY	Name & Title: Ross Hilleary, Planner II Department: Community Development			
MEETING TYPE	☐ Work Session ☐ Executive	☒ Regular	☐ Special	☐ Retreat
AGENDA CLASSIFICATION	☐ Consent	☒ Ordinance	☐ Resolution	☐ Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	☐ 1 st Reading	☐ 2 nd Reading	☐ Public Hearing	☐ 3 rd Reading
	Ordinance #: 031819B		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	☐ Contract required for this item		☐ Signed copy of contract attached	
	☐ Seeking award or other scenario & will provide contract at a later date		☒ No contract for this item	
	☐ Contract over \$50,000			
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	☒ Document must be recorded with the County Recorder's Office ☐ Wait 31 days prior to filing with the County Recorders' Office		☐ Document does not need recorded with the County Recorder's Office	
APPROVALS/REVIEWS	☐ Assistant/Deputy Department Head		☐ Controller's Office	
	☒ Department Head		☐ Finance Committee	
	☐ Deputy Mayor		☐ Technical Advisory Committee	
	☐ Mayor		☐ Other:	
	☐ Legal Counsel – <i>Name of Reviewer:</i>			

BACKGROUND (Includes description, background, and justification)	Faegre Baker Daniels, LLP. on behalf of Thompson Thrift Development, Inc. wish to rezone the subject property from The Stations PUD-C and Exit 5 (Sunbeam) PUD-C to The Stations at Fishers District PUD-M. The PUD would allow for C3-Commerical District Uses with additional uses including a coffee house, food trucks, and indoor entertainment and multi-unit townhomes. The subject property is located at 9712 116th Street Fishers, IN 46038 and on approximately 7 +/- acres of 9799 E 116th Street Fishers, IN 46038. Thompson Thrift Development, Inc. plans to construct a mixed-use building with office and retail, a commercial building, a hotel, and approximately 50 townhomes on the combined 8.67 +/- acre site.	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	Not applicable (N/A)
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading and approve
	2.	Proposed an Amendment and approve
	3.	Continue to April Council Meeting
	4.	Deny Approval
PROJECT TIMELINE	March 7, 2019 - PUD Committee (approved architecture of mix retail/office and townhomes) March 7, 2019 - Plan Commission review and favorable recommendation (Public Hearing) March 18, 2019 - Anticipated Final Reading and approval at City Council	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	Staff recommends that City Council hold Final Reading and approve the rezone of The Stations at Fishers District as presented	
SUPPLEMENTAL INFORMATION (List all attached documents)	1. Ordinance 2. Staff Report 3. Petitioner Packet	