



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Plan Commission Meeting

DATE: 8/7/2024, at 6:00 PM

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

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

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

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

1. **Call to Order**
2. **Pledge of Allegiance to The Flag of The United States**
3. **Roll Call**
4. **Approval of Previous Minutes**
 - a. 7-10-24
5. **Public Hearings**
 - a. **Meijer Grocery**
Parcel: 13-12-31-00-00-022.000, 13-12-31-00-00-023.000, 13-12-31-00-00-024.000 and 13-12-31-00-00-025.000
Case: TA-24-3
Request: Consideration of a text amendment to the Fall Creek Marketplace PUD

Ordinance #050106A to allow updates to the concept plan and the land use and development standards, generally located near the intersection of Southeastern Parkway and N. Cyntheanne Road. (TA-24-3)

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

Planner: Gabrielle Herin, Senior Planner (hering@fishers.in.us)

- 6. Staff Communication**
- 7. Summary of Council Action**
- 8. Adjournment**

**CITY OF FISHERS
ADVISORY PLAN COMMISSION MINUTES
July 10, 2024**

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

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

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

Others present: Rodney Retzner, Kelly Lewark, Ross Hilleary, Christy Cashin, Kevin Martin, Tracy Gaynor, Rob McMurray, Kevin Moore, Jack & Sur Follmar, Joe Calderon and Pete Andreou.

Ms. Stoller made a Motion to approve the Minutes from the May 1, 2024 meeting. Mr. Molter seconded. The Motion was approved 8-0.

Mr. Stevenson noted that Item #b (Fall Creek Marketplace PUD Text Amendment (Meijer Grocery) is continued to the August meeting.

Public Hearings:

a. Fishers Marketplace Text Amendment

Parcel: 15-11-30-00-42-002.000

Case: TA-24-4

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

Petitioner: Joe Calderon (jcalderon@btlaw.com)

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

Christy Cashin presented the Fishers Marketplace Text Amendment. The petitioner is proposing a gas station, convenience store and car wash at 13498 Bent Grass Lane. Ms. Cashin noted the PUD Committee voted to continue the item at their meeting earlier in the evening. Staff provided no recommendation. The petitioner, Joe Calderon said they were not expecting to be continued at PUD Committee but are planning to make revisions to the canopy design per their comments.

Mr. Stevenson opened the Public Hearing.

Sue and Jack Follmar (13857 Canopy Ln.) – they are not necessarily against this project but they have two concerns, the first being the lighting close to the residents and the second, gas station pumps with monitors that have loud audio.

Mr. Stevenson closed the Public Hearing.

Mr. Calderon answered the project should not provide excess light pollution as it will be down lighting. He also noted the gas pumps do have monitors but no audio. Ms. Logan inquired about the hours of operation. Mr. Andreou said the hours would be 5am-11pm. Ms. Stoller feels that there are numerous gas stations already located in the area (SR 37). She does not want an additional gas station. She noted the lot is not suitable for this use.

Mr. Stevenson asked for a Motion. Ms. Stoller made a Motion to send an unfavorable recommendation to City Council, seconded by Mr. DeReamer. The Motion was approved, 8-0.

The Meeting was adjourned at 6:43 PM.

Respectfully Submitted by:

Kelly Lewark, Recording Secretary

ORDINANCE NO. _____

~~AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF FISHERS, INDIANA 1980.~~

~~AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY,
INDIANA, AMENDING THE TEXT OF THE OF THE FALL CREEK MARKET PUD ORDINANCE,
ORIGINALLY ADOPTED ON OCTOBER 2, 2006, AS ORDINANCE NO. 050106A, AS FOLLOWS ZONING
ORDINANCE OF FISHERS, INDIANA w 1980. BE IT ORDAINED BY THE TOWN CITY COUNCIL OF
THE TOWN CITY OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE
COMPREHENSIVE PIAN AND ORDINANCE 1980, ORDINANCE NO. 110380, AS AMENDED, IS
HEREBY AMENDED AS FOLLOWS:~~

SECTION 1. DECLARATION

That the text of the Fall Creek Market PUD, originally adopted on October 2, 2006, as
Ordinance No. 050106A, which is part of the Unified Development Ordinance of the City of
Fishers, Indiana, Ordinance No. 090605A, as amended (the "UDO"), is hereby amended as
provided herein. Zoning Code of the Town City of Fishers, Indiana, Ordinance No. 110380, and
the Official Zoning Map, Town City of Fishers, Indiana, dated November 3, 1980, which
accompanies and is part of the Zoning Code of the Town City of Fishers, Indiana, as amended, are
hereby amended as follows:

That the Zoning Classification of the following described Real Estate is hereby zoned as
PUD-C and this ordinance shall hereinafter be referred to as the "Cyntheanne and S238
Southeastern Parkway Falls Creek Marketplace PUD Ordinance":

SEE "EXHIBIT A" ATTACHED HERETO.

~~SECTION 2.~~ **SECTION 2. PURPOSE AND INTENT**

To create a neighborhood commercial district for property located northwest of the
intersection of State Road 238 Southeastern Parkway and Cyntheanne Road through the
adoption of development standards including architectural design and material standards to
aesthetically enhance the commercial areas to be compatible with the surrounding residential
neighborhoods.

SECTION 3. LAND USE

~~A. Grocery Store, All uses described in Section 151.073 (C1, Commercial District) and Section
151.074 (C2, Commercial District) of the Fishers Zoning Code, as amended, shall be
permitted.~~

~~B.A. Neighborhood retail including grocery, drug which may include bakery, produce, pharmacy, ~~to~~resale alcohol sales, butcher/meat, floral and similar uses typically found in grocery stores, ~~are~~is permitted provided that no single occupancy may exceed sixty five eighty thousand (6580,000) gross square feet for an anchor tenant and provided the anchor tenant has a minimum of two (2) separate and distinct customer entrances across the front of the building. The 90,000 square foot limitation of the C-2 district shall not apply to the overall PUD, provided overall development and individual structures are compliant with the PUD concept plan.~~

~~B. The following uses shall be permitted provided that no single occupancy shall exceed 5,000 square feet:~~

- ~~1) Child Care Center~~
- ~~2) Medical, dental office or chiropractor, osteopath, physician or medical practitioner~~
- ~~3) Medical Clinic~~
- ~~4) Office, including business services, professional services, financial services, counseling in an office setting, charitable institution (not providing housing, shelter or sales) or government office.~~
- ~~5) Beauty/Hair Salon~~
- ~~6) Optometrist~~
- ~~7) Restaurant~~
- ~~8) One Vehicle fuel sales/gas station and convenience store, which may include the indoor sale of retail products, shall be allowed.~~

~~C. Any adult entertainment uses shall be prohibited.~~

~~D. Package liquor sales shall be prohibited in gas stations/convenience stores or other similar stand-alone package storesoutlots, or "pick up" facilities.~~

~~E. Package liquor sales are permitted accessory to the grocery store use including as part of an online grocery pick-up order, as may be allowed by State license.~~

~~F. One service station shall be allowed in the Cyntheanne Road and SR238 Southeastern Parkway PUD District.~~

SECTION 4. CONCEPTUAL DEVELOPMENT PLAN

The updated Concept Plan, attached hereto as "Exhibit B", is adopted as part of this ordinance. Adoption of the Concept Plan, however, does not constitute approval of any detailed and final development plans; such further approval is subject to the procedures set out in Section 7, below.

SECTION 5. DEVELOPMENT STANDARDS

Except as modified by this PUD Ordinance, the development shall comply with the development, landscaping and parking standards of the Zoning Code of the Town-City of Fishers.

A. Bulk and Density Standards

1) Building Setbacks

Minimum Front Yard

50'

Minimum Rear Yard	20'
Minimum Side Yard	20'

2) Lot Frontage

- a) Minimum lot frontage may be reduced to 75 feet for one individual outlot. All other lots shall meet the minimum standard of the UDO.

3) Lot Coverage

- a) Lot coverage shall not exceed seventy-five percent (75%) and is inclusive of buildings, parking area and other impervious surfaces, which results in ~~an~~ open space requirement of twenty five percent (25%) of the land area.

4) Building Height

- a) Buildings are restricted to thirty-five six feet (35'6") maximum of two (2) stories (pitched roofs are measured as the mid-point).

- ~~a) 5) A building on an outlot shall not be larger than 5,000 square feet and shall contain no more than three four tenants.~~

B. Landscaping e-Buffering

- 1) The landscape buffers for the north and west property lines of Area A shall incorporate the existing trees and shall also include a combination of six (6) trees and ~~ten (10)~~ fifteen (15) shrubs per one hundred (100) lineal feet. Existing trees may count towards the requirement. In order to support preservation of existing trees and incorporate additional plantings, supplemental trees and shrubs may be located within 50 feet of the property line. Mounds may be reduced or eliminated as needed to maintain the health of preserved trees.
- 2) ~~The landscape buffers for the north and east property lines of Area B shall incorporate the existing trees and shall also include a combination of six (6) trees and ten (10) shrubs per one hundred (100) lineal feet. All new plantings shall be native.~~
- 3) Where required, street trees shall be provided at a ratio of one (1) canopy tree per fifty (50 feet). Required street trees along Southeastern Parkway may be located greater than 10' from the ROW line where in conflict with existing overhead electric lines and gas easements. Final locations shall be approved as a part of the detailed and final plan.

C. Architectural Standards

- 1) All structures within an individual PUD area shall be constructed with similar design, materials and compatible architecture.
- 2) All buildings shall screen all mechanical equipment including that which is mounted to the roof and/or ground.
- 3) The exterior of all buildings adjacent to residentially zoned areas or occupied shall consist of a brick, masonry, ~~or~~ stone façade, or stucco or precast concrete materials with brick, stone or masonry surface and appearance.
- 4) Facades that have greater than one hundred feet (100') in length, measured horizontally, shall incorporate wall plane projections, or recesses projections, recesses, canopy's, or structural screen walls screen walls having a depth of at least ten eight feet

- ~~(108')~~ five percent (5%) of the length of the facade and extending at least twenty percent (20%) of the length of the facade. No uninterrupted length of any facade shall exceed one hundred ~~and fifty~~ horizontal feet ~~(150+00')~~.
- 5) Where large retail structures contain additional, separately owned or leased stores that occupy less than twenty-five thousand (25,000) square feet of gross floor area and have separate, exterior customer entrances, the street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than sixty percent (60%) of the horizontal length of the building facade of such additional stores. Window requirements for the gas service station shall be reduced to forty percent (40%) percent of the horizontal length of the building facade and shall apply only to the primary entrance facade of the gas service station.
 - 6) Building facades shall include a repeating pattern that includes no less than three (3) of the following elements:
 - a) Color change;
 - b) Texture change;
 - c) Material module change;
 - d) An expression of architectural or structural bays through a change in plane no less than twelve inches (12") in width, such as an offset, reveal or projecting rib.
 - 7) Roof architecture
 - a) Roofs shall have some combination of the following features:
 - (1) All roof areas shall restrict rooftop equipment such as HVAC units from public view by extending the supporting wall or parapet. Such roof features shall contain three-dimensional cornice treatment,
 - (2) Overhanging eaves, extending no less than three feet (3') past the supporting walls;
 - ~~(3) Three or more roof slope planes.~~
 - b) Gasoline service station canopies shall have pitched roofs. Gasoline service canopies may have a flat roof and shall not exceed 20 feet in height. Gasoline service canopies shall have masonry support pillars to support the gas station canopy.
 - c) Office uses, separate retail tenants, single story and buildings of less than fifty thousand (50,000) square feet must have pitched roofs to be more residential in character. Notwithstanding, the permitted gasoline service station and its canopy shall be architecturally consistent with the primary grocery use and may have flat roofs.
 - d) No more than fifty percent (50%) of the roof shall be flat unless the roof has an architectural addition. Flat roofs shall have architectural significance, such as different sections of flat roofs so the roof can be given articulation with different heights. The look of the building shall therefore be softened by the feel of the facade.
 - 8) Materials and colors.
 - a) Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, limestone, other native stone, ~~and~~ tinted/textured concrete masonry units or precast concrete materials with brick stone or masonry surface appearance.
 - b) Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The

use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.

- c) Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.
- d) Exterior building materials shall not include smooth-faced concrete block, ~~tilt-up concrete panels~~ or prefabricated steel panels.

9) Entryways.

- a) Each retail establishment greater than twenty thousand (20,000) square feet shall have clearly defined, highly visible customer entrances featuring no less than three of the following:
 - (1) Canopies or porticos;
 - (2) Overhangs;
 - (3) Recesses/projections;
 - (4) Arcades;
 - (5) Raised corniced parapets over the door;
 - (6) ~~Peaked~~ Varied roof forms;
 - (7) Arches;
 - (8) Architectural details such as tile work and moldings which are integrated into the building structure and design;
 - (9) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- b) All building facades that are visible from ~~adjoining properties and/or public streets~~ shall comply with the requirements of items (1) through (9).

10) Pedestrian circulation

- a) Sidewalks shall be a minimum of five (5) feet in width, however, where applicable, they shall be eight-ten (10) feet in width asphalt in conjunction with the ~~Town City~~ Parks Plan and to integrate with neighborhoods. Sidewalks shall be provided along all sides of the lot that abut a public street.
- b) Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of each retail building on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.
- c) Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. ~~Such sidewalks shall be located at least six feet from the facade of the building to provide planting facade. In-ground or permanent planter boxes shall be provided in place of foundation planting along the outer edge of the sidewalk where they do not interfere with pedestrian access/connectivity to provide planting facade.~~
- d) Internal pedestrian walkways provided in conformance with part b) above shall provide weather protection features such as awnings or arcades within thirty feet (30') of all customer entrances.

- e) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

- ~~11) Trash removal, compaction, service vehicles, deliveries, parking lot sweepers, etc. shall not be permitted between the hours of 12:00 midnight and 6:00 a.m. with the exception of snow removal. Trash receptacles shall not be located closer to the right-of-way than the primary building, except where the property has frontage along two property lines. Gates shall not face residential use properties; such requirement shall not apply to school-owned and used properties which may be zoned residential. Refuse compactor units located within the loading area shall be screened from adjacent properties or right-of-way along the edge of the loading dock area but shall not require gates to completely enclose the unit.~~
- 12) Outlot uses shall not have drive-through order facilities but may incorporate pick-up only windows. Such facilities may be located within 400 feet of residentially zoned property.

D. Parking and Access

- 1) Parking shall be provided at a rate of 5 per 1,000 square foot maximum for uses over 50,000 square feet. Fuel centers shall provide parking spaces at a rate of 6 per 1,000 square feet maximum, inclusive of employee parking. Additional landscape bump-outs shall only be required for parking in excess of this standard. Additional uses under 50,000 square feet shall be underlying requirements of the City of Fishers UDO.
- 2) Terminal planting beds may be eliminated adjacent to ADA accessible spaces.
- 3) Driveway widths may exceed 36 feet in width, up to 52 feet in width, for primary commercial entrances as needed to accommodate vehicle turn lanes and radiuses with approval from Fishers Engineering Department.
- 4) Cart corrals shall be constructed of durable materials but may be moveable to facilitate parking lot clearing and maintenance.

E. Signage

- 1) All wall signage shall be reverse channel letter neon or externally lit individual letter signs. All other signage requirements shall be in conformance with the Fishers Sign Code. A comprehensive sign package shall be approved for the site in accordance with the Fishers Sign Code. Sign lighting and color modifications may be addressed as a part of this package.
- 2) The fuel pricing portion of the gas station sign may utilize digital changeable copy panels which remains static except for price changes, provided such signage does not exceed 25% of the overall sign, as measured per face.

F. Lighting

- 1) Lighting shall be limited to 0.5-foot candles at the property line. This requirement is exempt when adjacent to public right-of-way.
- 2) There shall be no greater than a 20 to 1 ratio of lighting with a ten foot candle

~~maximum on site.~~

- 3) Light poles shall be limited to thirty feet (30') in height
- 4) Light fixtures ~~shall~~ may be decorative along the entrance drives and along public rights-of-way approved as part of the overall architecture, but overall site illumination into the atmosphere shall be restricted through the use of ~~shields on the fixture to include a horizontal lamp and no more than a 180-degree angle of light full cut-off fixtures.~~
- 5) Vehicle canopy lighting shall not exceed 40 foot candles in intensity. All lighting shall be recessed within the canopy structure.
- 6) Pedestrian lighting along the building façade may be satisfied through a combination of building and pole mounted lighting as detailed on the final lighting plan.

~~G. Commitments~~

- ~~1) The Developer shall be subject to the Commitments, attached hereto as "Exhibit C", which shall include the following:~~
 - ~~a) Prior to the formal annexation of the Real Estate into the Town City of Fishers, the Developer agrees that any home constructed within Briarwood at Fishers shall voluntarily contribute to the Town City of Fishers, at the time that a building permit is issued, the then standard impact fees normally assessed by the Town City of Fishers for the residential building.~~
 - ~~b) The Developer agrees not to remonstrate against annexation of the Real Estate by the Town City of Fishers~~
 - ~~(1) The Developer agrees to include a Waiver of Remonstrance provision in the covenants and restrictions for the Real Estate, which will be recorded and provided to the purchaser of each lot with the Real Estate;~~
 - ~~(2) The Developer agrees to include a Waiver of Remonstrance provision on the recorded Subdivision Plat;~~
 - ~~(3) The Developer agrees to include Waiver of Remonstrance in the PUD Ordinance.~~

SECTION 6. OTHER REQUIREMENTS

The Real Estate shall comply with all Town City Ordinances (e.g., ~~Zoning Code~~UDO, ~~Landscaping Ordinance, Parking Ordinance, Subdivision Control Ordinance~~) ~~4~~1 in effect ~~May 1, 2006~~ as of the date of adoption of this Ordinance, as applicable, except as provided or modified by this PUD Ordinance. The underlying zoning district shall be C2 Commercial.

SECTION 7. PROCEDURES.

Improvements on the Real Estate that is the subject of this PUD Ordinance may be developed in phases over time. The adoption of this ordinance and the subsequent consideration of any detailed

~~and final development Plan shall be consistent and pursuant to the provisions of the Planned Unit Development process as set forth in Section 151.072 3.4.5 Planned Unit Development District of the Unified Development Ordinance. A Development Plan for each building and phase of development shall be submitted to the City's general PUD Committee (the "Committee") for review and approval prior to the issuance of a building permit. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein. The grocery store shall substantially comply with the rendering attached hereto as "Exhibit C", and the fueling center/convenience store shall substantially comply with the rendering attached hereto as "Exhibit D"; provided, however, that the Committee shall have the discretion and flexibility, upon the request of the petitioner, to consider and approve modifications pertaining to any development and design standard established or referenced by this PUD Ordinance if the Committee determines such modifications are consistent with the intent of this PUD Ordinance.~~

SECTION 8. APPROVAL

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

Note: Needs replacement with new legal descriptions and updated Exhibits.

EXHIBIT "A"

LAND DESCRIPTION
CYNTHEANNE/SR238 SOUTHEASTERN PARKWAY
FALLS CREEK PLANNED DEVELOPMENT



Advisory Plan Commission Staff Report

Meeting Date: August 7, 2024

DEPARTMENT CONTACT:

Gabrielle Herin (hering@fishers.in.us)

CASE NUMBER:

TA-24-3

PETITIONER:

Abby Jacobs (abby.jacobs@woolpert.com)

Tim Ochs (timothy.ochs@icemiller.com)

PROPERTY ADDRESS/LOCATION:

Generally located near the northwest intersection of Southeastern Parkway and N. Cyntheanne Road

REQUEST: Consideration of a text amendment to the Fall Creek Marketplace PUD Ordinance #050106A to allow updates to the concept plan and the land use and development standards, generally located near the intersection of Southeastern Parkway and N. Cyntheanne Road. (TA-24-3)

APPLICABLE REGULATIONS:

Fall Creek Marketplace PUD

EXISTING ZONING:

PUDC (Fall Creek Marketplace PUD)

FISHERS 2040:

Neighborhood Mixed Use

Lot Size: 21.66 Acres

LOCATION MAP



STAFF RECOMMENDATION

☐ Favorable Recommendation

☐ Unfavorable Recommendation

☒ No Recommendation

ZONING OVERVIEW

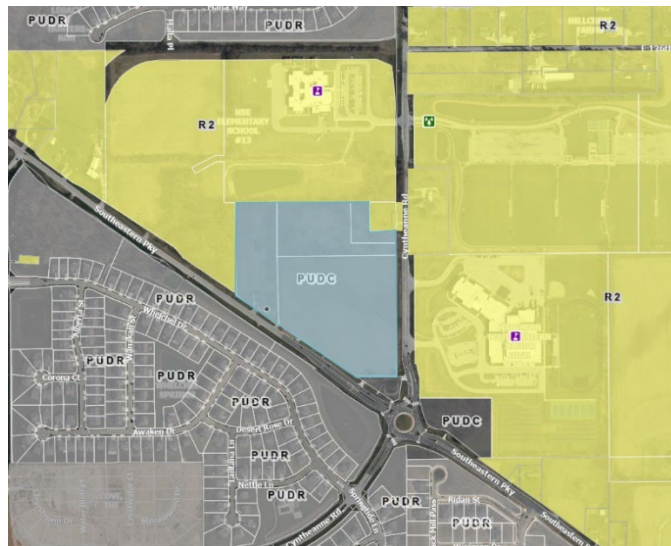
The property is currently zoned PUDC under the Fall Creek Marketplace PUD Ordinance #050106A).

North: R2 - Residential (School)

South: PUDR, Wheelchel Springs (Single Family Residential)

East: R2 - Residential (School, Park)

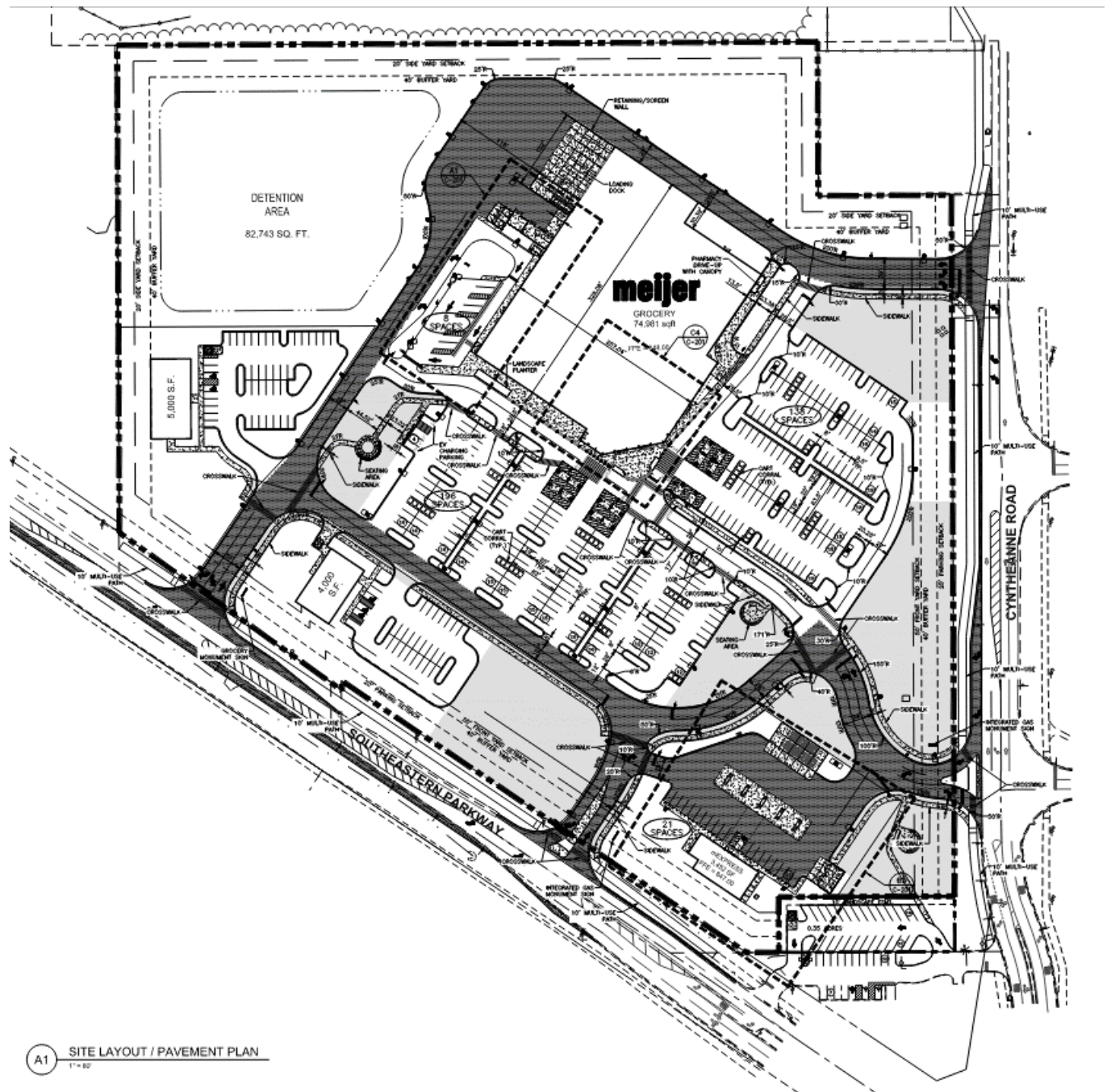
West: R2 - Residential (Single Family Residential)



PETITION OVERVIEW

The petitioner is requesting to amend the Fall Creek Marketplace PUD to allow updates to the concept plan and the land use and development standards including up to an 80,000 square feet grocery store, a reduction to two commercial out lots, and to maintain a single vehicle fuel sales and a convenience store. These uses and standard changes would apply only to the properties at the northwest corner of Southeastern Parkway and Cynthianne Road. This text amendment will also approve the concept plan and proposed elevations of the grocery store, vehicle fuel sales, and convenience store. Out lots would be required to come before PUD Committee in the future for architectural approval.

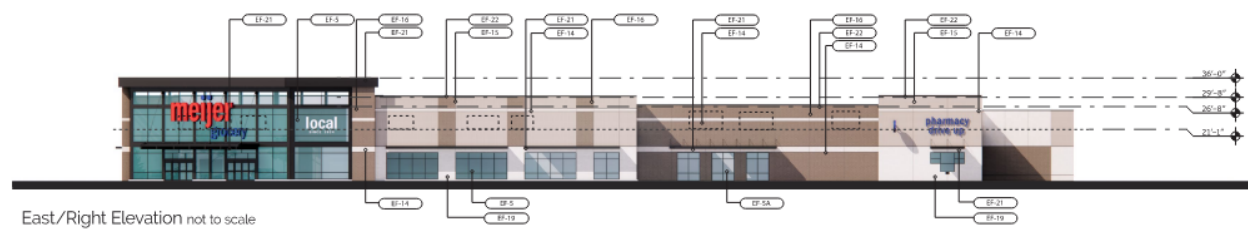
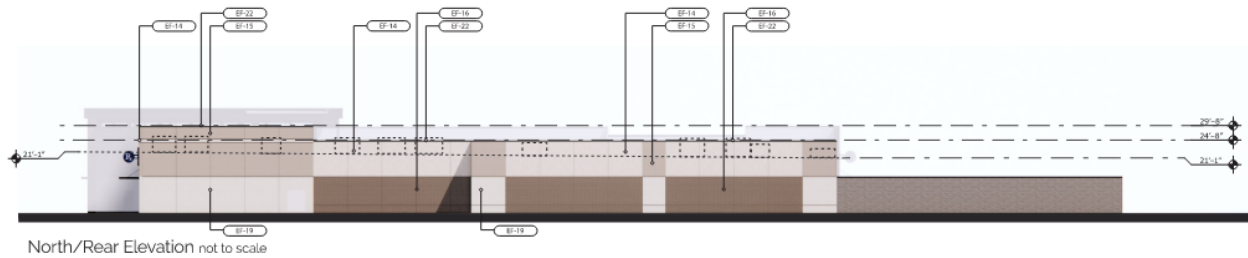
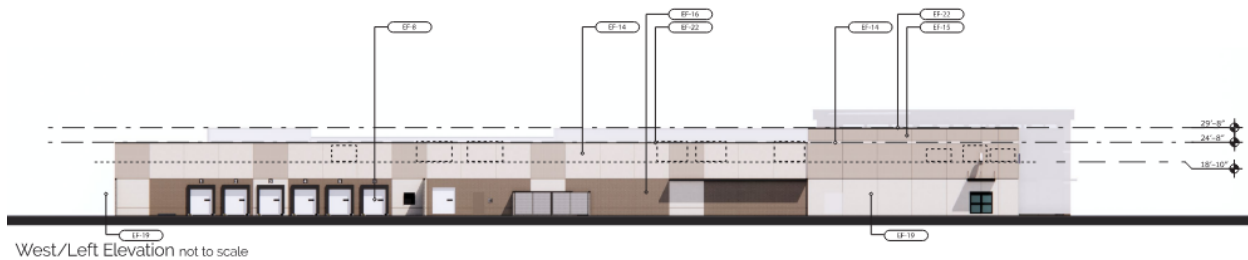
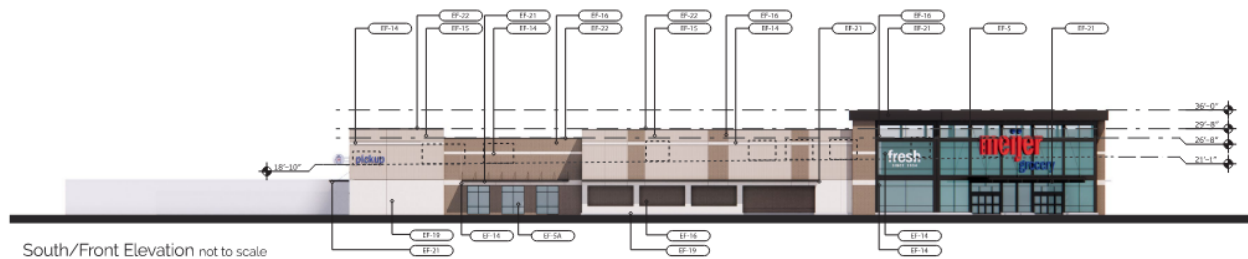
This item is anticipated to go to the PUD Committee for architectural approval on August 7, 2024, and Final Reading before City Council on August 19, 2024.



Proposed Concept Plan. This concept plan will not dictate right-of-way access as all access points must be approved by the Board of Public Works & Safety.

TA-24-3
August 7, 2024

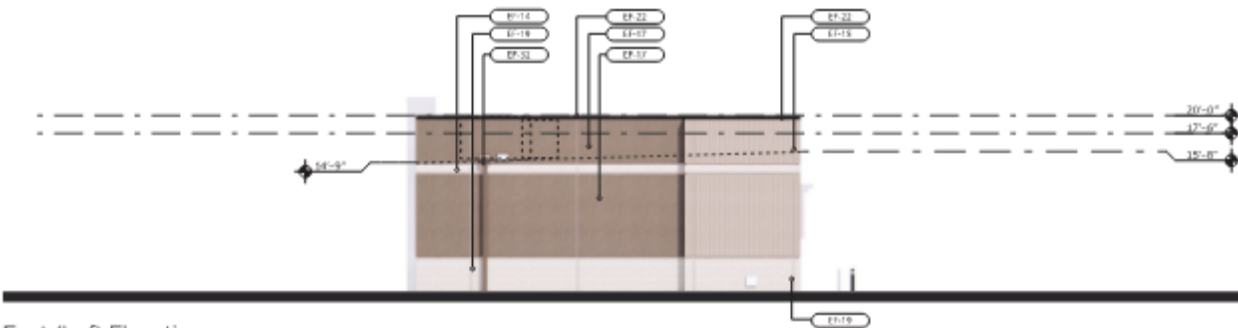
Meijer Elevations:



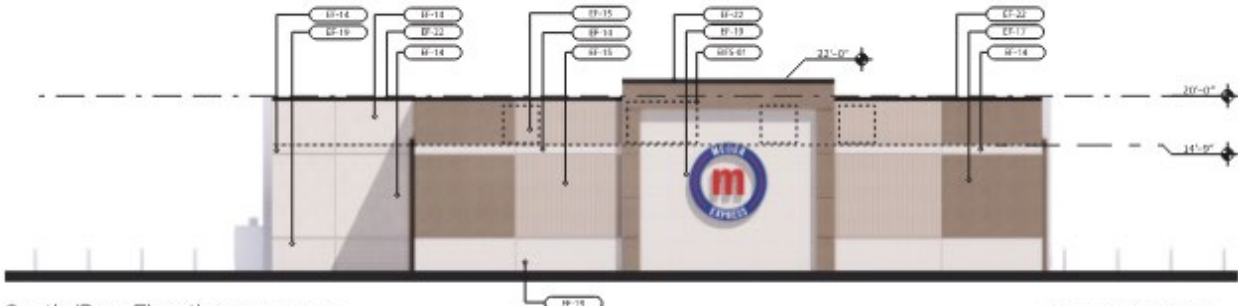
mExpress Building Elevations:



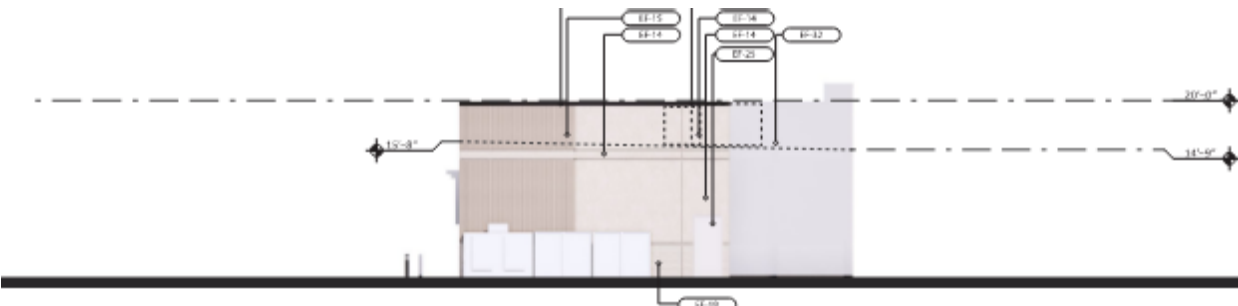
East/Left Elevation not to scale



South/Rear Elevation - not to scale

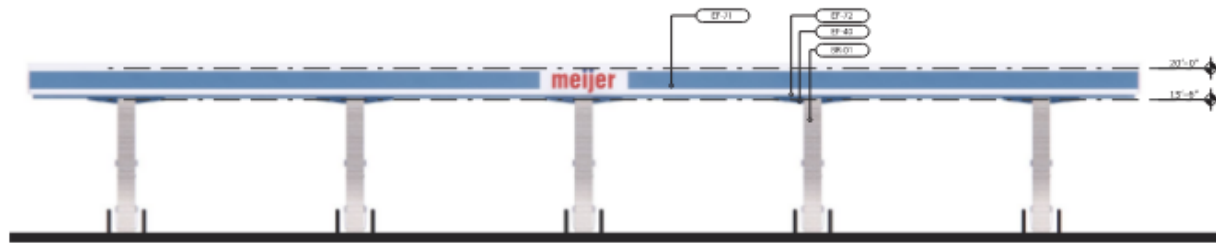


West/Right Elevation not to scale

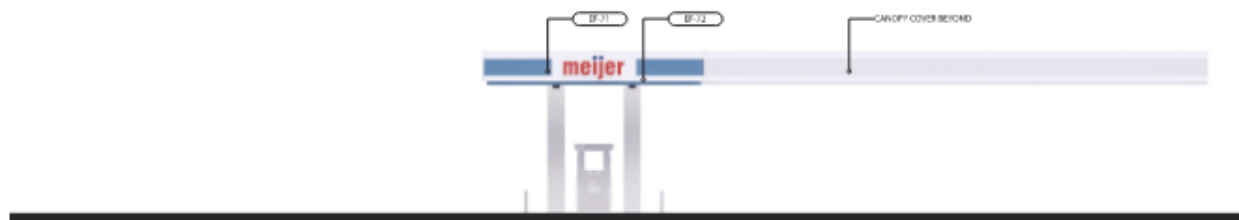


TA-24-3
August 7, 2024

mExpress Canopy Elevations:



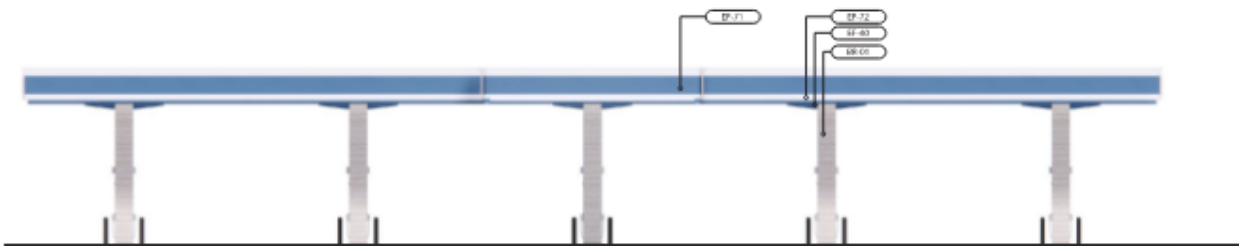
North/Front Elevation not to scale



West/Right Elevation not to scale



East/Left Elevation not to scale



South/Rear Elevation not to scale



Aerial perspective from the intersection of Southeastern Parkway and Cyntheanne Road



Aerial perspective from Southeastern Parkway



Entry perspective



Receiving dock perspective

Proposed PUD Changes

Below is a table summarizing the primary proposed changes to the Fall Creek Marketplace PUD (Ordinance # 050106A). The existing language is compared to the proposed.

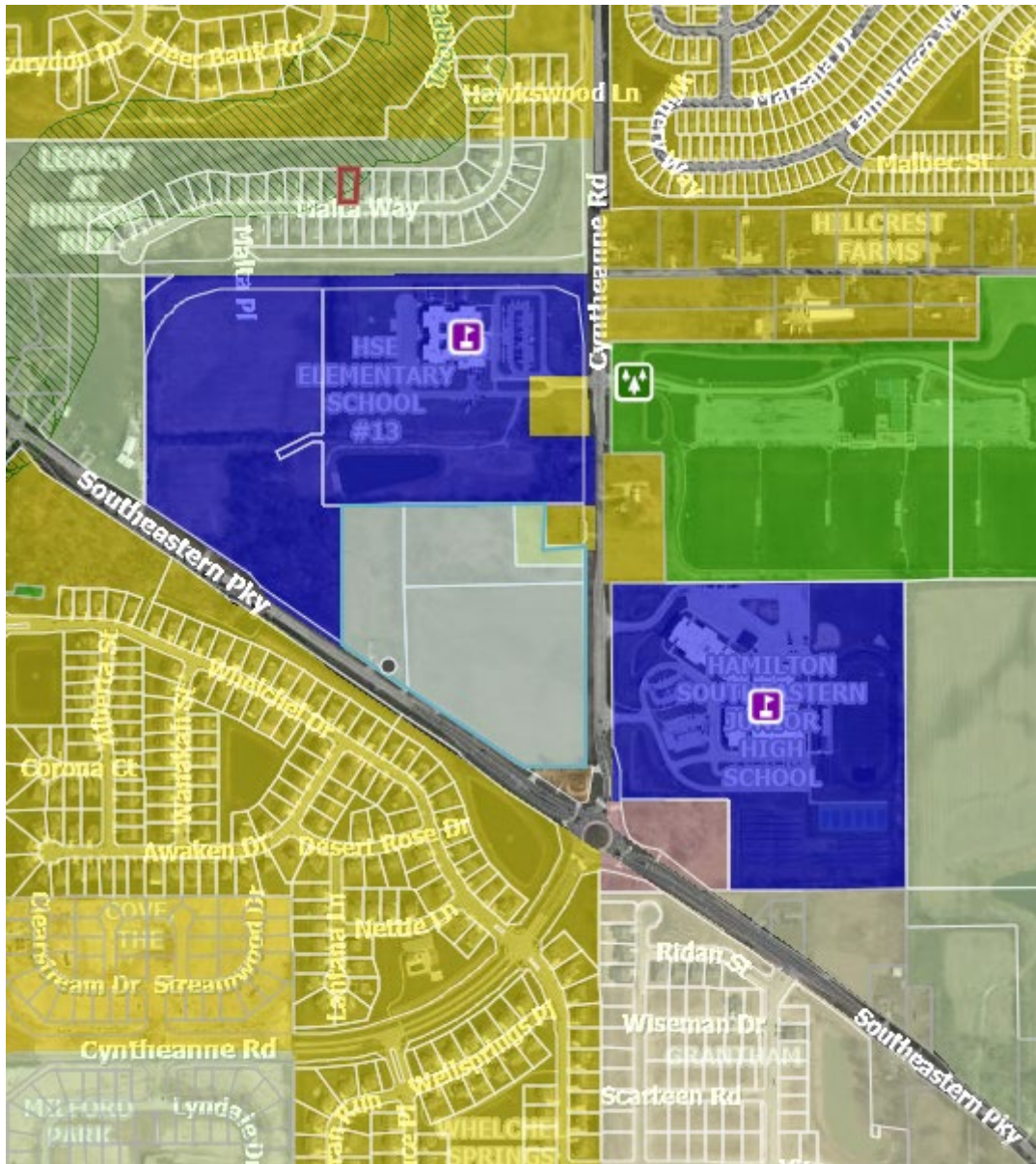
Fall Creek Marketplace PUD Ord. No. 050106A	Fall Creek Marketplace PUD Text Amendment
Anchor Store	Anchor Store
No Single Occupancy may exceed 65,000 gross square feet for an anchor tenant	No Single Occupancy may exceed 80,000 gross square feet for an anchor tenant
Provided the anchor tenant has a minimum of two (2) separate and distinct customer entrances across the front of the building	Provided the anchor tenant has a minimum of two (2) separate and distinct customer entrances across the front of the building
N/A	Package liquor sales are permitted accessory to the grocery store use including as part of an online grocery pick-up order, as may be allowed by State license
Buildings are restricted to thirty-five feet (35')	Buildings are restricted to thirty-six feet (36')
Landscaping	Landscaping
N/A	The landscape buffers for the north and west property lines of Area A shall incorporate the existing trees and shall also include a combination of six (6) trees and fifteen (15) shrubs per one hundred (100) lineal feet. In order to support preservation of existing trees and incorporate additional plantings, supplemental trees and shrubs may be located within 50 feet of the property line. Mounds may be reduced or eliminated as needed to maintain the health of preserved trees.
N/A	All new plantings are to be native
N/A	Required street trees along Southeastern Parkway may be located greater than 10' from the ROW line where in conflict with existing overhead electric lines and gas easements. Final locations shall be approved as a part of the detailed and final plan
Architecture	Architecture
(3) Three or more roof slope planes." AND "No more than fifty percent (50%) of the roof shall be flat unless the roof has an architectural addition	(3) Three or more roof slope planes." AND "No more than fifty percent (50%) of the roof shall be flat unless the roof has an architectural addition
Gasoline service station canopies shall have pitched roofs	Gasoline service canopies may have a flat roof and shall not exceed 20 feet in height and gasoline service canopies shall have masonry support pillars to support the gas station canopy

Exterior building materials included examples such as brick, limestone, other native stone and tinted/textured concrete masonry units	Added that exterior building materials may be precast concrete materials with brick stone or masonry surface appearance
Exterior building materials shall not include smooth-faced concrete block, tilt up concrete panels or prefabricated steel panels	Exterior building materials shall not include smooth-faced concrete block, tilt up concrete panels or prefabricated steel panels
Peaked roof forms	Varied roof forms
Trash	Trash
Trash removal, compaction, service vehicles, deliveries, parking lot sweepers, etc. shall not be permitted between the hours of 12:00 midnight and 6:00 a.m. with the exception of snow removal	"Trash removal, compaction, service vehicles, deliveries, parking lot sweepers, etc. shall not be permitted between the hours of 12:00 midnight and 6:00 a.m. with the exception of snow removal"
Out Lots	Out Lots
N/A	Out lot uses shall not have drive-through order facilities but may incorporate pick-up only windows. Such facilities may be located within 400 feet of residentially zoned property.
Limited to C1 and C2 Uses	Limited to C2 Uses as follows: Child Care Center, Medical, Medical Clinic, Office, Personal Services (Beauty/Hair Salon, Optometrist only), Restaurant (Eating Establishment only)
Parking / Driveway	Parking / Driveway
N/A	"1) Parking shall be provided at a rate of 5 per 1,000 square foot maximum for uses over 50,000 square feet. Fuel centers shall provide parking spaces at a rate of 6 per 1,000 square feet maximum, inclusive of employee parking. Additional landscape bump-outs shall only be required for parking in excess of this standard. Additional uses under 50,000 square feet shall be underlying requirements of the City of Fishers UDO. 2) "Terminal planting beds may be eliminated adjacent to ADA accessible spaces. 3) Driveway widths may exceed 36 feet in width, up to 52 feet in width, for primary commercial entrances as needed to accommodate vehicle turn lanes and radiuses with approval from Fishers Engineering Department.
Signage	Signage
All wall signage shall be reverse channel letter neon or externally lit individual letter signs. All other signage requirements shall be in conformance with the Fishers Sign Code	All wall signage shall be reverse channel letter neon or externally lit individual letter signs. All other signage requirements shall be in conformance with the Fishers Sign Code.
N/A	A comprehensive sign package shall be approved for the site in accordance with the Fishers Sign Code. Sign

lighting and color modifications may be addressed as a part of this package. The fuel pricing portion of the gas station sign may utilize digital changeable copy.

Fishers 2040:

The Fishers 2040 plan lists the future land use as Neighborhood Mixed Use.



SUMMARY OF NEIGHBORHOOD MEETINGS AND PUBLIC COMMENTS:

Two neighborhood meetings were held by the petitioner for the project.

- June 12 at 7 PM, Brooks School Elementary School (All Neighborhood Meeting)
- June 13 at 7 PM, Britton Falls Villa (Exclusively for Britton Falls residents)

Staff received approximately 90 comments from the public as of July 25. There are summarized and attached.

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. If approved by the Plan Commission, staff recommends the following condition:

1. Buffer Yards Standards (Large), including along Southeastern Parkway and Cyntheanne Road meet City's standard of 6 canopy trees, 5 evergreens and 15 shrubs per 100 feet.
 2. The proposed concept plan and architecture be approved by the PUD Committee.
-

STAFF RECOMMENDATION

☐ Favorable Recommendation ☐ Unfavorable Recommendation ☒ No Recommendation

Exhibit A

Below is a summary of public comments received by residents in nearby neighborhoods. The comments have been divided by overall tone of positive or negative. The number adjacent to the comment represents the number of times the comment was mentioned.

Meijer Grocery Public Comments - Positive

- Need/want grocery store close by – 17
- Convenient – 11
- Too far to grocery store now – 9
- Traffic issues stem from new housing developments, not Meijer Grocery – 6
- Want more choices in grocery stores – 6
- Kroger on Olio Rd not convenient with traffic/dangerous – 4
- Grocery store has good prices/service/quality – 3
- Meijer is close by – 3
- Excited for Meijer – 2
- Asset/Amenity – 2
- Only food store – 2
- More than 300 Britton Falls residents came to neighborhood meeting and most are in favor – 2
- Too many homeowners nearby who need grocery store – 2
- Need gas station close by – 2
- Northeast Fishers needs more grocery stores – 2
- Survey of residents showed 75% support, may be more since only 25% of homes responded – 2
- Top tier gas – 2
- Saves on gas for nearby residents – 2
- Can walk/ride bike to grocery store with Meijer – 2
- Saves the environment – 2
- 6 miles to closest grocery and gas station
- Helpful pick-up and delivery options
- Would like an EV charging station
- # of cars reduced in nearby roundabouts and roads
- Perfect location
- Can avoid school traffic by not going to grocery store then
- Company has good, quality products
- Good size grocery store
- Few resources to support housing
- Restores balance between commercial and residential
- No concern with its proximity to schools
- Neighborhood of over 1200 homes to the east and south of Britton Falls may support it as well

August 7, 2024

- Traffic will not affect Britton Falls as Meijer is not directly across from community
- Meijer execs answered all questions
- Convenient to have drive thru pharmacy
- Kroger too crowded/shelves empty
- Will be more traffic regardless of use
- Available roads and stores too crowded
- Original plans always had grocery store at corner of Cyntheanne and Southeastern 1
- Would rather a commercial use that will benefit many
- Southeastern Pkwy can handle more traffic than 136th Street
- Grocery store closer will eliminate current traffic on Olio
- Only 38% of residents oppose Meijer
- Need another pharmacy
- Traffic reduction
- Provides new jobs and opportunities
- Increased traffic and close proximity to schools can be mitigated
- Other grocery stores are near schools
- Proximity issues resolved in Fishers
- Traffic study completed showing good access to Meijer
- Deliveries do not require use of roundabout
- Supports use if concerns on traffic along Southeastern Parkway and Cyntheanne Road can be addressed
- Will benefit Britton Falls and nearby communities

Meijer Grocery Public Comments - Negative

- Increased traffic – 25
- Not residential in nature/does not fit character of area/not suitable for location – 20
- Safety – 17
- Need new schools/School should be located there - 11
- Move closer to 69 – 10
- Other grocery stores/gas stations nearby – 10
- Reduction in home values – 10
- Current infrastructure inadequate – 9
- Will ruin Schoolhouse – 8
- Intrusive lighting – 7
- Overcrowded schools – 7
- Impacts to the adjacent School-general – 5
- Reduction in standard of living – 5
- Truck traffic – 5
- Noise – 4
- Higher crime/strain on emergency responders – 4
- Overdeveloped Area – 3
- Move near Culvers – 3

- Road deterioration/more maintenance – 3
- Reduces area's peace – 3
- Concerns over Schoolhouse 7 – 2
- People speed through area/neighborhood (Whelchel Springs) – 2
- Unsightly View – 2
- Move closer to other businesses – 2
- Wants daycare – 2
- Local grocery store with smaller footprint – 2
- Meijer not needed – 2
- Build it elsewhere – 2
- Concerned about alcohol sales – 2
- Concerned about truck and delivery traffic hours – 2
- Reduce number of trips to grocery store – 2
- People cut through neighborhood to get to Southeastern
- Rather have restaurants w/ playground
- No positive comments on street in Whelchel Springs
- Reduces beauty
- Eye sore
- Move to place that can handle traffic with right infrastructure
- Roundabouts do not slow traffic
- Precedent Setting
- No communication via mail
- Fishers financial benefit?
- No one wants the grocery store
- Original footprint of planned grocery store (65,000 sq ft) better
- Will be used by Fortville and Pendleton residents
- Wrong use of tax dollars
- Wants smaller business center
- No discussion of elevations in neighborhood meeting
- Concerned about headlight glare directed at homes
- Concerned about number of parking spots
- Will be no more fertile land
- Fishers' park like area will be replaced by retail desert
- Visited Meijer Grocery in Noblesville
 - Concerned with width of roads/traffic lights near Meijer
 - Concerned with differences between nearby uses of Noblesville and Fishers Meijer Grocery
 - Towers over desert like Parking lot, which is huge and ugly
 - Not very much landscaping, except those on CVS property
 - Concerned existing trees will be removed and that there is not enough landscaping
 - Concerned with site plan

- Presentation lacked information and actual photos from existing Neighborhood markets in neighborhood meeting. Additionally lacked pictures of nearby schools, businesses and homes
- Too many taxes
- Safety, not increased traffic and pollution
- Concerned with gas station hours of operation
- Concerned about possible store expansion
- Concerned with double the parking at C-store
- Concerned about the uses of the two outlots
- Concerned there is room for future additional outlots
- Would like an 8 feet landscaping berm with three layers of bushes and large trees
- Would like a visual sound barrier along Southeastern
- Would like more parks recreation and place to enjoy family time and education
- Concerned about the accuracy of the traffic study
- Concerned about number of retail entrances/exits along SE Parkway and Cyntheanne
- Kroger on Olio is easy to get to from Britton Falls
- Would like road improvements first
- Air pollution and trash
- Stop destroying land and trees remaining
- No full service pharmacy
- No pet supplies/pet food area
- Concerned that Cyntheanne Rd will not be widened
- Wants more housing instead
- Will impact quiet neighborhood
- Concerned there will be requests to rezone outlots
- Concerned there will be a 24 hour grocery store and convenience store
- Too many gas stations, need for gas is decreasing
- Would like area dedicated to parks and recreation with EV stations
- Will additional stop lights be needed
- Will increased police traffic control coverage be needed when school starts/ends
- Will Fishers need additional funds to build another fire station
- Will Fishers have to contribute funds to widen roads to four lanes plus a fifth turn lane on Southeastern and Cyntheanne in all directions.
- Will Fishers have to install raised cross walks for pedestrians like on 126th street.
- How will we insure the safety of our 2000 school students (across and up the street from Meijer). There will be a percentage crossing the street to go to the Meijer complex. There are no pedestrian cross walks in the proposal. The current cross walks at the traffic circle are too dangerous to cross four lanes. The raised landscaping blocks partial traffic visibility for pedestrian visibility.
- Has Meijer contacted adjacent owners for possible future expansion



July 31, 2024

Ross Byers
Meijer

Mr. Byers,

Per your request, I have reviewed again the driveway access points with A&F Engineering at the Meijer located at the intersection of Cyntheanne Road and Southeastern Parkway. The following conclusions and recommendations are based on the operational characteristics of the access points along with the data provided by Woolpert Consultants in their Traffic Study.

Cyntheanne Road, North Site Driveway #4 – After a review of this access point, full turning movement access will be allowed with appropriate auxiliary lanes.

Cyntheanne Road, South Site Driveway #3 – As proposed, this driveway is to be right-out-only access. The median for the roundabout shall be extended north past the opening of the right-out-only access point. The purpose will be to ensure the school access remains a full-movement access and will eliminate vehicles traveling north to make a U-turn to access Site Driveway #3. This will improve the operational characteristics of the access point and ensure safe and efficient movement for both the school and Meijer access points.

Southeastern Parkway, Site Driveway #2 – The purpose of the right-in-only access is to ensure safe and efficient movement into the site. The west access point, Site Driveway #1, can manage the vehicles entering and exiting the site as presently proposed and right-in-only is preferred. However, if a right-in / right-out access is requested, the continuous right turn lane (which will function as an acceleration / deceleration lane for Site Driveway #1 and Site Driveway #2) shall be required. In addition, in order to make Site Driveway #2 right-in / right-out-only, the continuous median along Southeastern Parkway shall be installed, and therefore, no left-turn will be allowed.

Southeastern Parkway, Site Driveway #1 – As currently planned, this access point shall be limited to a right-in / right-out / left-in-only access. The left-out movement is eliminated for operational purposes of the intersection. The Level of Service Analysis performed by Woolpert Consultants has shown that the Southbound left performs at a very low level of service. Therefore, the left-turn out at this driveway has been eliminated. The internal roadways and access points provide good access to allow internal trips to maneuver to the access points along Cyntheanne Road to safely exit the site.

These recommendations have been made based on operational characteristics of the access points, the proximity of the school drives, and the fact that as proposed, they will perform at an acceptable Level of Service for vehicles to enter and exit the sites.

If you have any questions, please contact me.

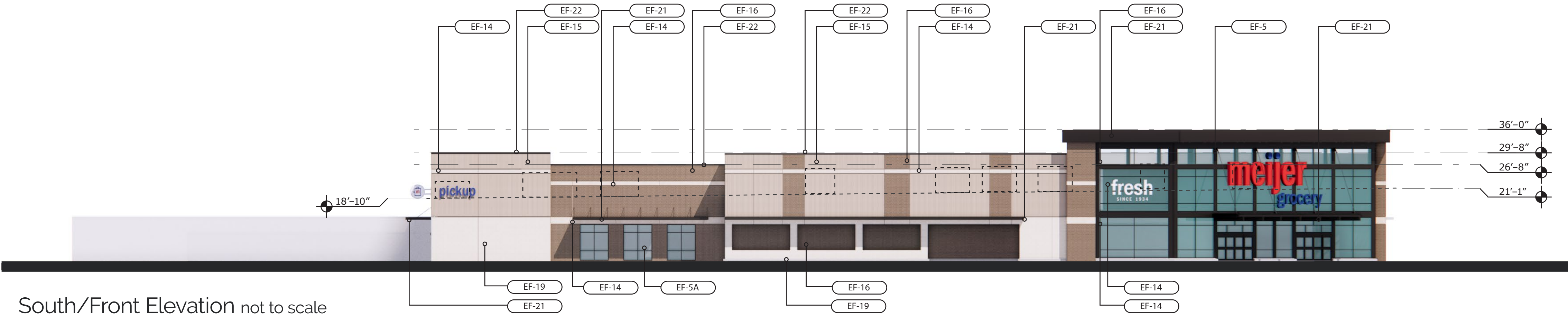
Hatem Mekky, P.E., MSCE



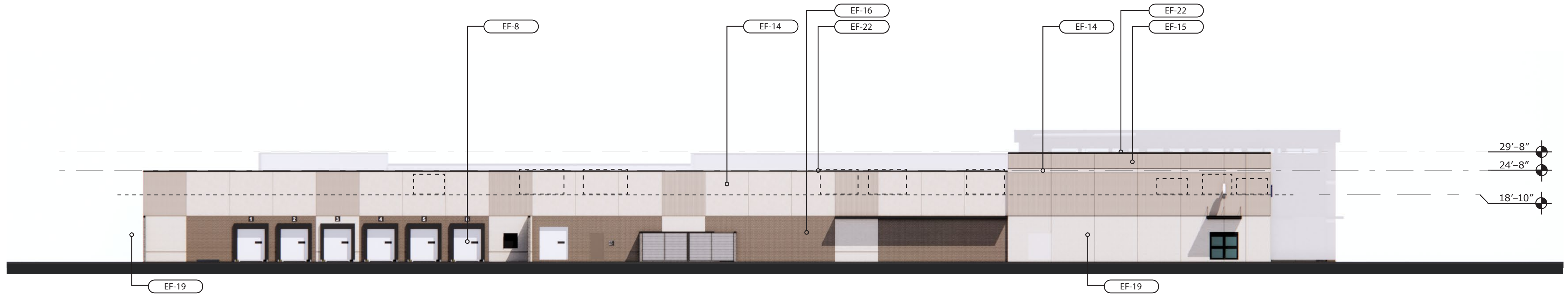




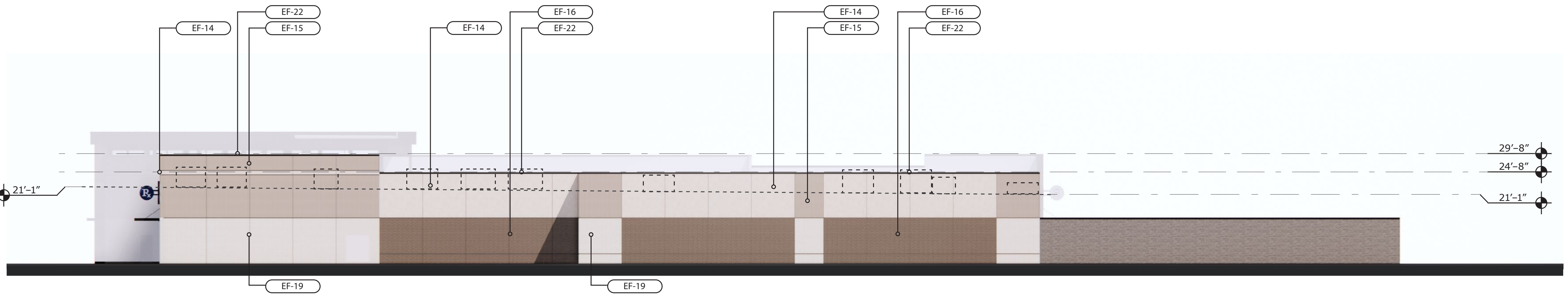




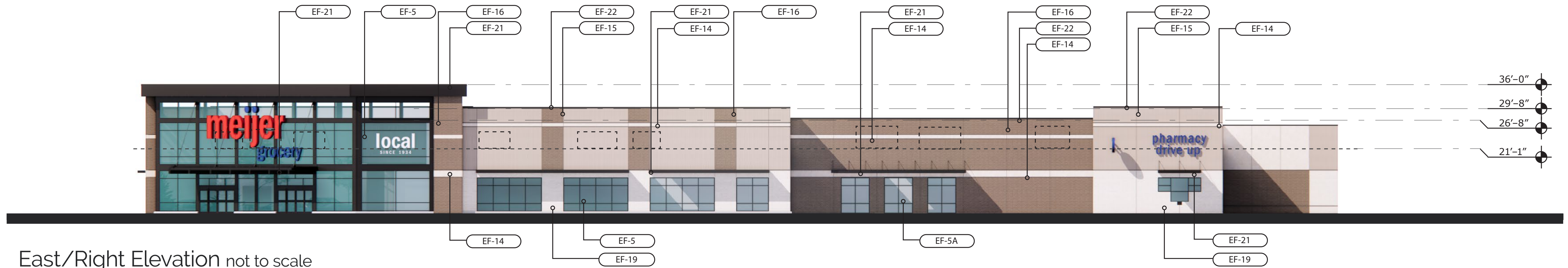
South/Front Elevation not to scale



West/Left Elevation not to scale



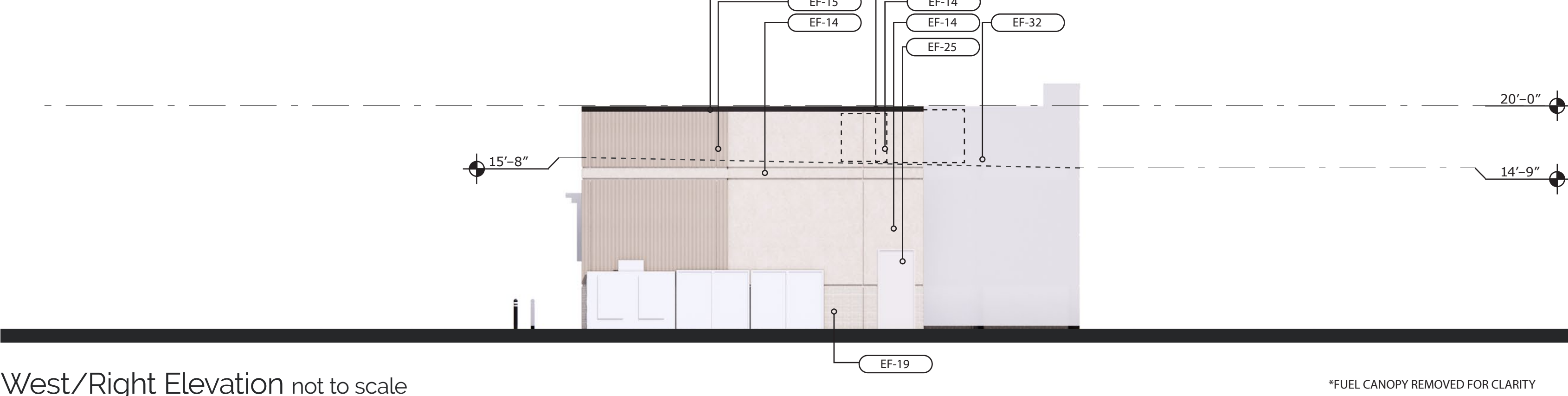
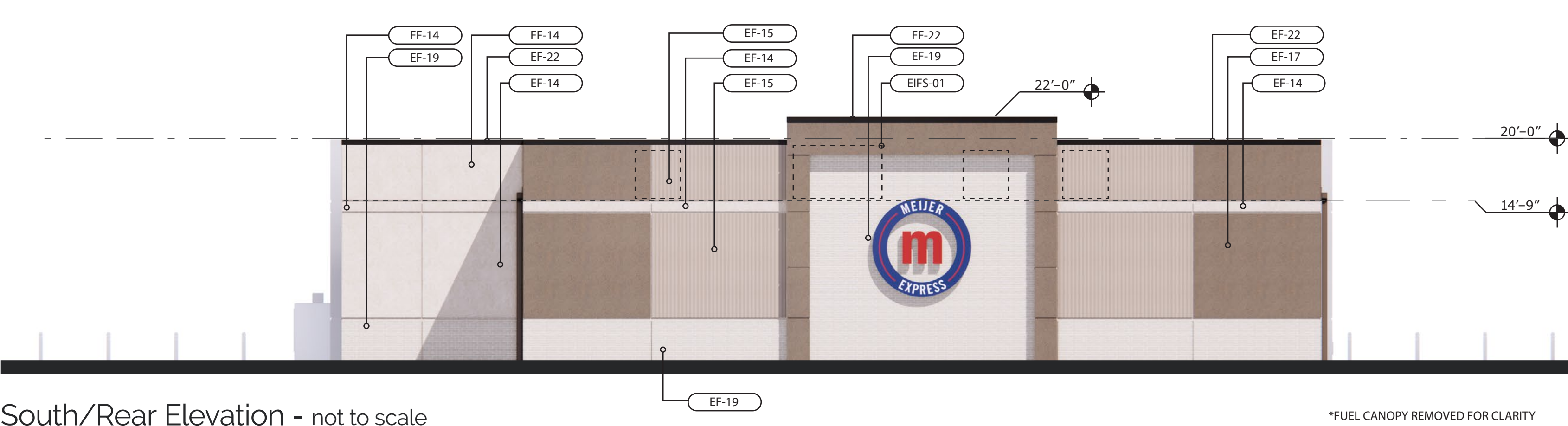
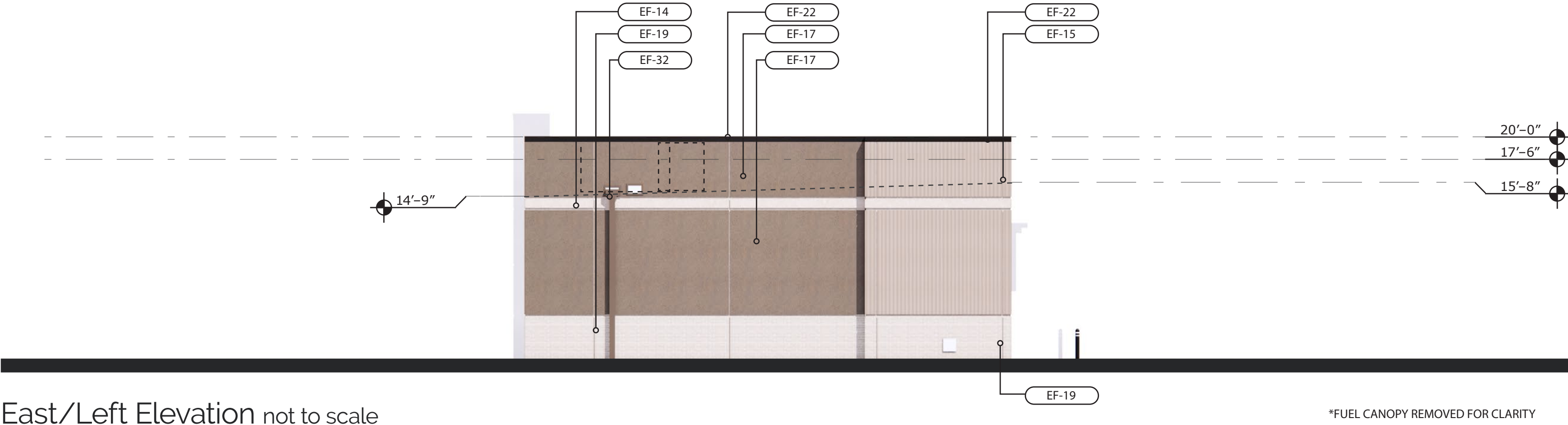
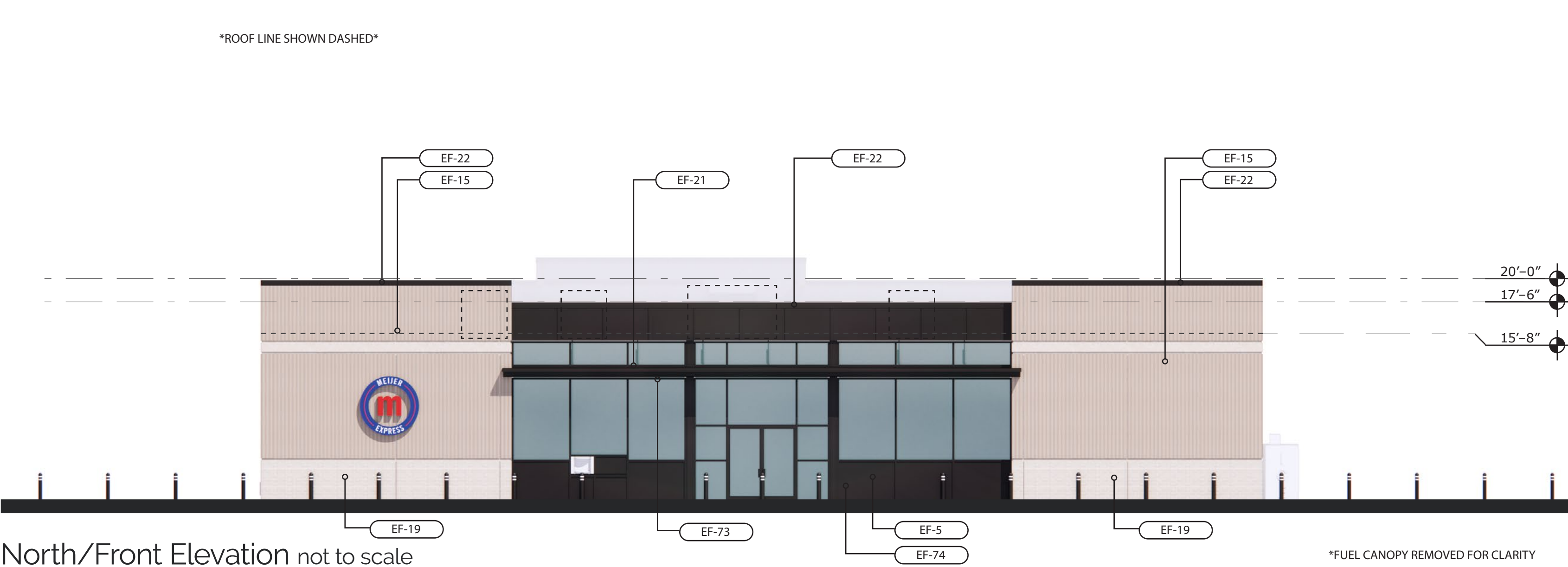
North/Rear Elevation not to scale



East/Right Elevation not to scale

RENDERING FINISH LEGEND			
CODE	FINISH	PRODUCT	COLOR
EF-5	ENTRANCE AND STOREFRONT FRAMES - 1" INSULATED GUARDIAN GLASS - CRYSTAL GRAY SN68	---	DARK BRONZE ANODIZED ALUMINUM
EF-5A	1" INSULATED SPANDREL PANEL WITH CRYSTAL GRAY SN68 AND WARM GRAY SPANDREL PANEL	---	WARM GRAY
EF-8	SECTIONAL OVERHEAD DOORS	---	WHITE
EF-14	INSULATED PRECAST CONCRETE WALL - PAINTED	---	SW 7555 PATIENCE
EF-15	INSULATED PRECAST CONCRETE WALL - VERTICAL LINEAR/VERTICAL STANDING SEAMS	RECKLI FORMLINER 2/75 KOCHER	SW 7038 TONY TAUPE
EF-16	INSULATED PRECAST CONCRETE WALL - BRICK IMPRINTED	AP FORMLINER MODULAR BRICK - VELOUR #101A	SW 7026 GRIFFIN
EF-19	INSULATED PRECAST CONCRETE WALL - BRICK IMPRINTED	AP FORMLINER MODULAR BRICK - VELOUR #101A	SW 7042 SHOJI WHITE
EF-20	CANOPY FASCIA PANEL AND SOFFIT	PAC-CLAD	DARK BRONZE
EF-21	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT CANOPY	PAC-CLAD	DARK BRONZE
EF-22	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT PARAPET	PAC-CLAD	DARK BRONZE
EF-25	FIELD PAINTED STEEL - HOLLOW METAL DOORS & FRAMES	SHERWIN WILLIAMS	SW 7042 SHOJI WHITE
EF-56	CONCRETE PLANTER	---	CAST IN PLACE CONCRETE PLANTER

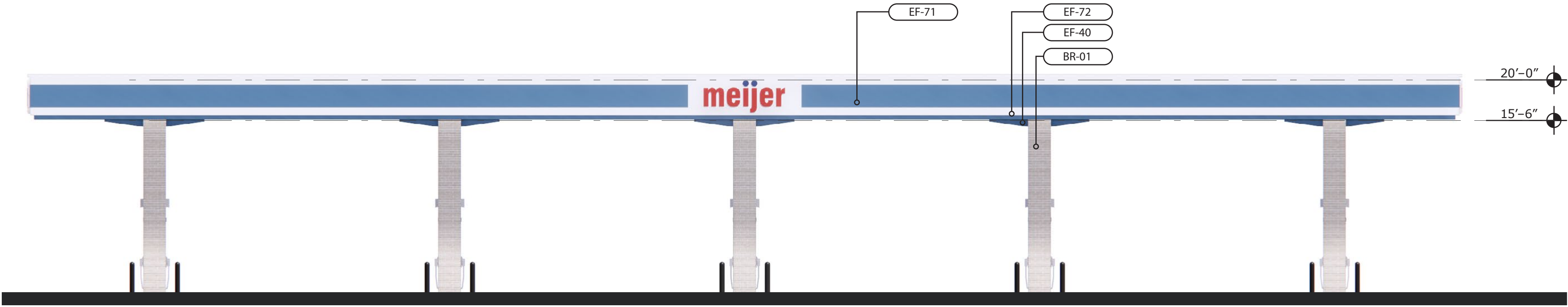
ROOF LINE AND EQUIPMENT SHOWN DASHED
ROOF EQUIPMENT RANGES FROM 4'-6" TO 6'-0" TALL



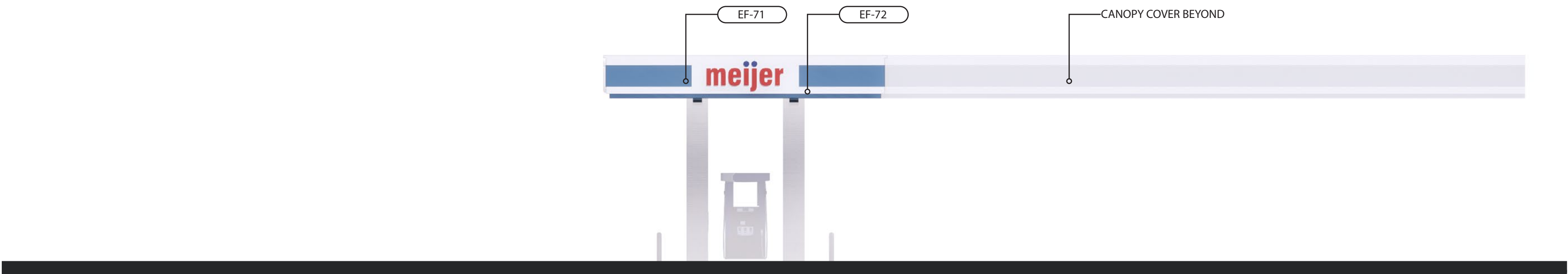
RENDERING FINISH LEGEND			
CODE	FINISH	PRODUCT	COLOR
EF-5	ENTRANCE AND STOREFRONT FRAMES - 1" INSULATED GUARDIAN GLASS - CRYSTAL GRAY SN68	---	DARK BRONZE ANODIZED ALUMINUM
EF-8	SECTIONAL OVERHEAD DOORS	---	WHITE
EF-14	INSULATED PRECAST CONCRETE WALL - PAINTED	---	SW 7555 PATIENCE
EF-15	INSULATED PRECAST CONCRETE WALL - VERTICAL LINEAR/VERTICAL STANDING SEAMS	RECKLI FORMLINER 2/75 KOCHER	SW 7038 TONY TAUPE
EF-17	INSULATED PRECAST CONCRETE WALL	AP FORMLINER EIFS #410	SW 7026 GRIFFIN
EF-19	INSULATED PRECAST CONCRETE WALL - BRICK IMPRINTED	AP FORMLINER MODULAR BRICK - VELOUR #101A	SW 7042 SHOJI WHITE
EF-20	CANOPY FASCIA PANEL AND SOFFIT	PAC-CLAD	DARK BRONZE
EF-21	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT CANOPY	PAC-CLAD	DARK BRONZE
EF-22	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT PARAPET	PAC-CLAD	DARK BRONZE
EF-25	FIELD PAINTED STEEL - HOLLOW METAL DOORS & FRAMES	SHERWIN WILLIAMS	SW 7042 SHOJI WHITE
EF-32	SHEET METAL FLASHING AND TRIM - COPINGS, GUTTERS AND DOWNSPOUTS	PAC-CLAD	SW 7026 GRIFFIN
EF-40	FUEL ISLAND CANOPY COLUMNS	SHERWIN WILLIAMS	SW 6510 LOYAL BLUE
EF-71	FUEL ISLAND CANOPY GRAPHIC FILM	3M	SHADOW BLUE 177
EF-72	FUEL ISLAND CANOPY	ALPOLIC	SOG GREY
EF-73	FIELD PAINTED STEEL - METAL DECKING	SHERWIN WILLIAMS	DARK BRONZE
EF-74	METAL PANEL	ALPOLIC	TO MATCH 'DARK BRONZE'
EIFS-01	EXTERIOR INSULATED FINISH SYSTEM	---	SW 7026 GRIFFIN

ROOF LINE AND EQUIPMENT SHOWN DASHED
ROOF EQUIPMENT RANGES FROM 4'-6" TO 6'-0" TALL

RENDERING FINISH LEGEND			
CODE	FINISH	PRODUCT	COLOR
EF-40	FUEL ISLAND CANOPY STRUCTURE	SHERWIN WILLIAMS	SW 6510 LOYAL BLUE
EF-71	FUEL ISLAND CANOPY GRAPHIC FILM	3M	SHADOW BLUE 177
EF-72	FUEL ISLAND CANOPY	ALPOLIC	SOG GREY
BR-01	FUEL ISLAND COLUMN FINISH	THIN BRICK	TO MATCH SW 7042 SHOJI WHITE



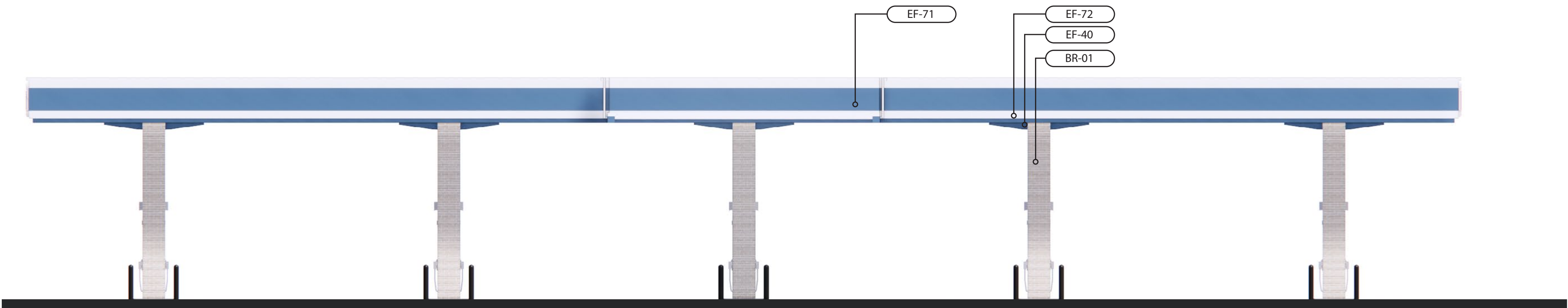
North/Front Elevation not to scale



West/Right Elevation not to scale



East/Left Elevation not to scale



South/Rear Elevation not to scale