

Signed zoning ordinance for Hillsdale.

Rec'd C TAE
5/26

ORDINANCE NO. 010305C

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

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FISHERS, INDIANA - 1980. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCE - 1980, ORDINANCE NO. 110380, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

SECTION 1. DECLARATION

That the text of the Zoning Code of the Town of Fishers, Indiana, Ordinance No. 110380, and the Official Zoning Map, Town of Fishers, Indiana, dated November 3, 1980, which accompanies and is part of the Zoning Code of the Town 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-R and this ordinance shall hereinafter be referred to as the Hillsdale PUD Ordinance:

SEE "EXHIBIT A" ATTACHED HERETO.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of this PUD-R is to provide an innovative residential development that promotes creativity and flexibility in the development of the Real Estate.

SECTION 3. LAND USE

All uses of the R-3 zoning classification are permitted.

SECTION 4. CONCEPTUAL DEVELOPMENT PLAN

The 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 6, below.

SECTION 5. DEVELOPMENT STANDARDS.

The development, landscaping and parking standards of the Residential R3 zoning district shall apply except as modified by this ordinance.

A. Bulk and Density Standards

Area	Hillsdale PUD
Land Use	Single-Family Residential
Maximum Lots	34
Lot Area SF	11,700
Min. Lot Width	90'
Min. Lot Depth	130'
Front Yard	25'
Side Yard	5'/15'
Rear Yard	35'
Min. SF ¹	1,800/2,400
Max. Lot Coverage	35%
Building Height ²	35'/25'
Parking ³	3
Common Area	Minimum 2 acres
Street (curb to curb)	30'

B. Landscaping

- 1) The landscaping standards of the Town of Fishers as adopted by Ordinance 080403C shall apply except for the following modification, which shall replace Section 3 Perimeter Planting Standards of the Landscape Ordinance:
 - a. Along Olio Road, a 200' buffer area (except for areas utilized for access, drainage, and utilities) shall be maintained with the existing stand of trees as provided by a tree preservation plan in accordance with Section 9.1 and Section 9.2 Natural Area Protection of Landscape Ordinance 080403C.
 - b. A landscape easement shall be located along the rear of the lots on the northern and eastern perimeters of the PUD. The landscape easement shall contain existing 12' to 15' tall evergreens, which shall be replanted 25' on center. A tree preservation plan in accordance with Section 9.1 and Section 9.2 Natural Area Protection of Landscape Ordinance 080403C shall be provided for this landscape easement.

2) Street Trees

Streets shall have street trees on both sides of the street. Street trees shall be placed on average between 40 - 60 feet on center in a planting strip between the curb and the sidewalk if available. If utilities prevent the location of trees within this planting strip, then the required tree shall be planted within the front yard of the adjacent lot. The planting strip shall be a minimum of four feet wide. Within 100' of an intersection, trees may be planted back of sidewalk in order to maintain vision clearance of traffic control signs. Trees shall be deciduous and selected from the Town's approved List of

¹ Refers to 1-story/2-story square footage minimum unless otherwise noted (and does not include basements)

² Refers to maximum building height for primary/accessory structures

³ Refers to minimum off-street parking spaces and includes the number of spaces inside a garage and on a driveway

Recommended Species. Trees, as mentioned hereafter, shall be a minimum of three (3) inch caliper, as measured twelve (12) inches from the ground.

3) Residential Lot and Foundation Plantings

- All lots shall be required to have three (3) trees in the lot planting area with at least one in the front yard;
- All lots shall have a minimum of ten (10) shrubs planted along the foundation facing a street. Corner lots shall install a minimum of six (6) shrubs per side facing a street.

4) Preservation of Existing Trees

The preservation of an existing healthy tree shall constitute a credit toward meeting the landscape requirements in this ordinance. An in kind credit will be given per tree that contributes to and satisfies the intent of a particular section of this ordinance.

C. Architecture

1) Brick/Masonry

- Masonry shall be defined as brick, stone, cultured stone, stucco or EFIS materials;
- All homes shall have masonry on 50% of the front elevation, not including doors, windows and other openings;
- The exterior chase of fireplaces shall be brick, Hardiplank, or other masonry material, except for direct vent and interior fireplaces.

2) Siding/Window Requirements

- All siding shall be masonry, wood or Cemplank/Hardiplank type material (no vinyl or aluminum siding is permitted);
- All windows shall be wood, vinyl, vinyl clad or aluminum clad type material.

3) Roof Pitch Requirements

- Front to back 6/12 minimum;
- All homes shall have a minimum 8" overhangs.

4) Additional Requirements.

- All plans, including exterior colors, to be approved by the individual community's New Construction Committee ("NCC") prior to construction;
- No equipment vents permitted on the front of homes;
- Basement or crawl space required (no slab permitted);
- No outbuildings or storage sheds permitted;
- All driveways to be concrete or asphalt. Any modifications (i.e., color changes, stamping) must be approved by the homeowners' association.
- Public sidewalks required on all lots;
- Uniform location of yard lights or coach lights as determined by the developer;
- Uniform mailboxes as determined by the developer are required.

5) Model Home Requirements

Model homes shall include:

- All model homes must be at least 2800 square feet (not including the basement); however, if a builder builds and uses at one time more than one model home, then one of the model homes must be the largest model offered by that builder in that project;
- 3-car garage (unless impractical due to easements or similar site restrictions);
- A finished basement; and
- One of the following features on the rear façade: first floor masonry, sunroom, screened porch, or breakfast nook with landscaped patio (minimum 1 tree and 8 shrubs).

D. Parking

1) Garages

- Minimum 2-car garage per home and one open space a minimum of eighteen (18) feet in length;
- If a two-car front loading garage is equal to or exceeds 50 percent of the width of the residence, the garage shall be side or rear loading or be recessed a minimum of eight (8) feet behind the front façade;
- If the garage is less than 50 percent of the width of the residence, the garage may be front loading, but shall not protrude more than twenty (20) feet from the first floor front façade;
- Side loading or courtyard entry garages shall have two (2) windows located on the front elevation of the garage;
- Front-loading garages protruding more than ten (10) feet shall contain a window on the side of the garage closest to the entry and front and side loading garages protruding more than twenty (20) feet shall have two (2) windows on the side of the garage closest to the entry (except for the Monterey, Tennyson, Townsend, and Watkins). Residences which have a front-loading garage that protrudes in front of the first floor façade shall, including the garage, be equal to or greater than forty (40) feet wide; and
- For homes with front-loading three-car garages, the third car garage entrance must be recessed a minimum of sixteen (16) inches from the two-car garage door. Any three-car garage driveway must taper to a maximum of sixteen (16) feet wide at the lot line.

E. Trail Easement

The developer shall dedicate a thirty-foot (30') wide easement to accommodate a future Bee Camp Creek trail to be located approximately as shown on the Concept Plan, Exhibit B, attached hereto. Alternatively, and at the Town's election prior to the approval of the detailed development plan, the developer shall dedicate the thirty-foot (30') wide easement (except for portions of the trail that utilize the public sidewalk within the public right-of-way) to be located approximately as shown on the Alternative Concept Plan, Exhibit C, attached hereto. If the Town elects the

Alternative Concept Plan, the developer shall be responsible for the installation of the trail as shown on Exhibit C.

SECTION 6. PROCEDURES.

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 Planned Unit Development District.

SECTION 7. APPROVAL

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

ADOPTED BY THE Town Council of the Town of Fishers, Indiana on this 18 day of APRIL, 2005.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

AYE

NAY

BY:

Eileen Pritchard

Timothy O. Lima

Stuart F. Easley

Daniel E. Henke

Charles P. White

Scott A. Faultless,
President

Eileen N. Pritchard,
Vice President

Timothy O. Lima,
Member

Stuart F. Easley,
Member

Daniel E. Henke,
Member

Charles P. White,
Member

David George,
Member

SAF/9c

David C. George

ATTEST *Linda Gaye Cordell*

Linda Gaye Cordell, Clerk-Treasurer,
The Town of Fishers, Indiana

Approved by: Douglas D. Church, Esq., Church, Church, Hittle and Antrim, Town Attorney
 Prepared by: Steven D. Hardin, Esq., Bingham McHale LLP,
 970 Logan Street, Noblesville, IN 46060

"EXHIBIT A"**LEGAL DESCRIPTION**

A part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 17 North, Range 5 East, in Hamilton County, Indiana, described as follows:

Beginning at a railroad spike over a stone marking the Southwest corner of the Northwest Quarter of Section 12, Township 17 North, Range 5 East, in Hamilton County, Indiana, said corner lies South 00 degrees 58 minutes 09 seconds West (assumed bearing) 2619.83 feet from a PK nail over a stone marking the Northwest corner the Northwest corner of the Northwest Quarter of said Section; thence North 00 degrees 58 minutes 09 seconds East 651.69 feet along the west line of said quarter section to a PK Nail; thence North 86 degrees 18 minutes 04 seconds East 1343.71 feet parallel with the north line of said quarter quarter section to a 6/8" Iron rebar marked (Roeschlein 8600000); thence South 01 degrees 06 minutes 44 seconds West 658.26 feet along a fence line to a stone with an "x" marking the Southeast corner of said quarter quarter section; thence South 86 degrees 34 minutes 38 seconds West 1341.58 feet along a fence line of said quarter quarter section to the point of beginning.

EXCEPTING THEREFROM that part conveyed to Hamilton County, Indiana by Deed dated May 5, 2003 and recorded July 3, 2003 as instrument Number 20030064308, being described as follows:

A part of the Southwest Quarter of the Northwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Indiana, and lying between the right of way lines shown on the attached Route Survey Plat, Exhibit B on said deed, described as follows:

Commencing at the northwest corner of said northwest quarter; thence South 00 degrees 24 minutes 08 seconds West 658.13 feet along the west line of said quarter section to the northwest corner of the owner's land and the point of beginning of this description; thence North 86 degrees 32 minutes 54 seconds East 20.07 feet along the north line of the owner's land to the east boundary of Olio Road; thence continuing North 85 degrees 32 minutes 54 seconds East 68.66 feet along said north line; thence South 02 degrees 19 minutes 12 seconds West 10.19 feet to point "113" on said plat; thence South 02 degrees 27 minutes 47 seconds East 232.80 feet to point "112" on said plat; thence South 05 degrees 40 minutes 20 seconds West 130.35 feet to point "111" on said plat; thence South 16 degrees 31 minutes 02 seconds West 244.04 feet to point "110" on said plat; thence North 89 degrees 85 minutes 52 seconds West 20.00 feet to the west line of said quarter section; thence North 00 degrees 24 minutes 08 seconds East 599.44 feet along said west line to the point of beginning.

HILLSDALE PUD CONCEPT PLAN

EXHIBIT "B"

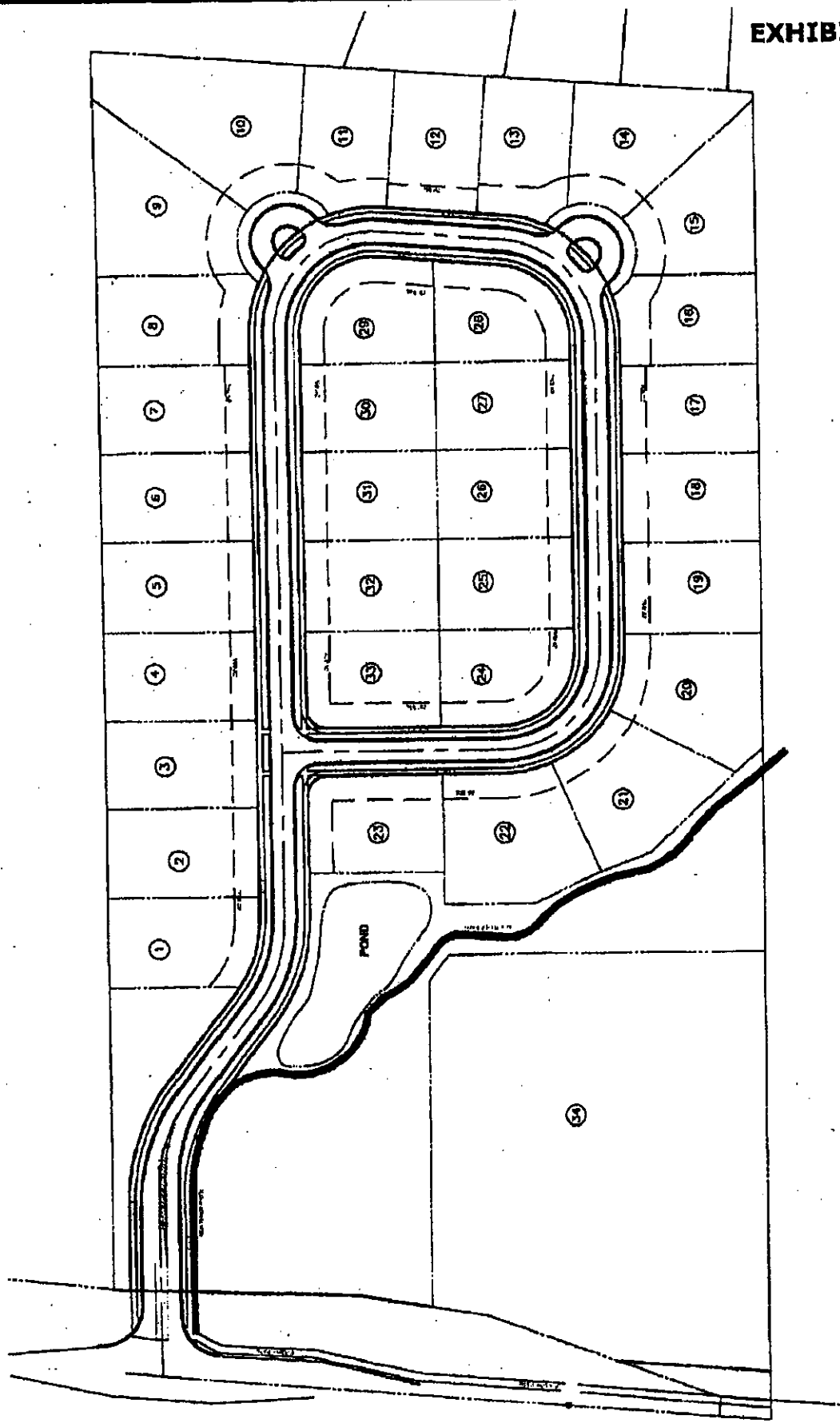
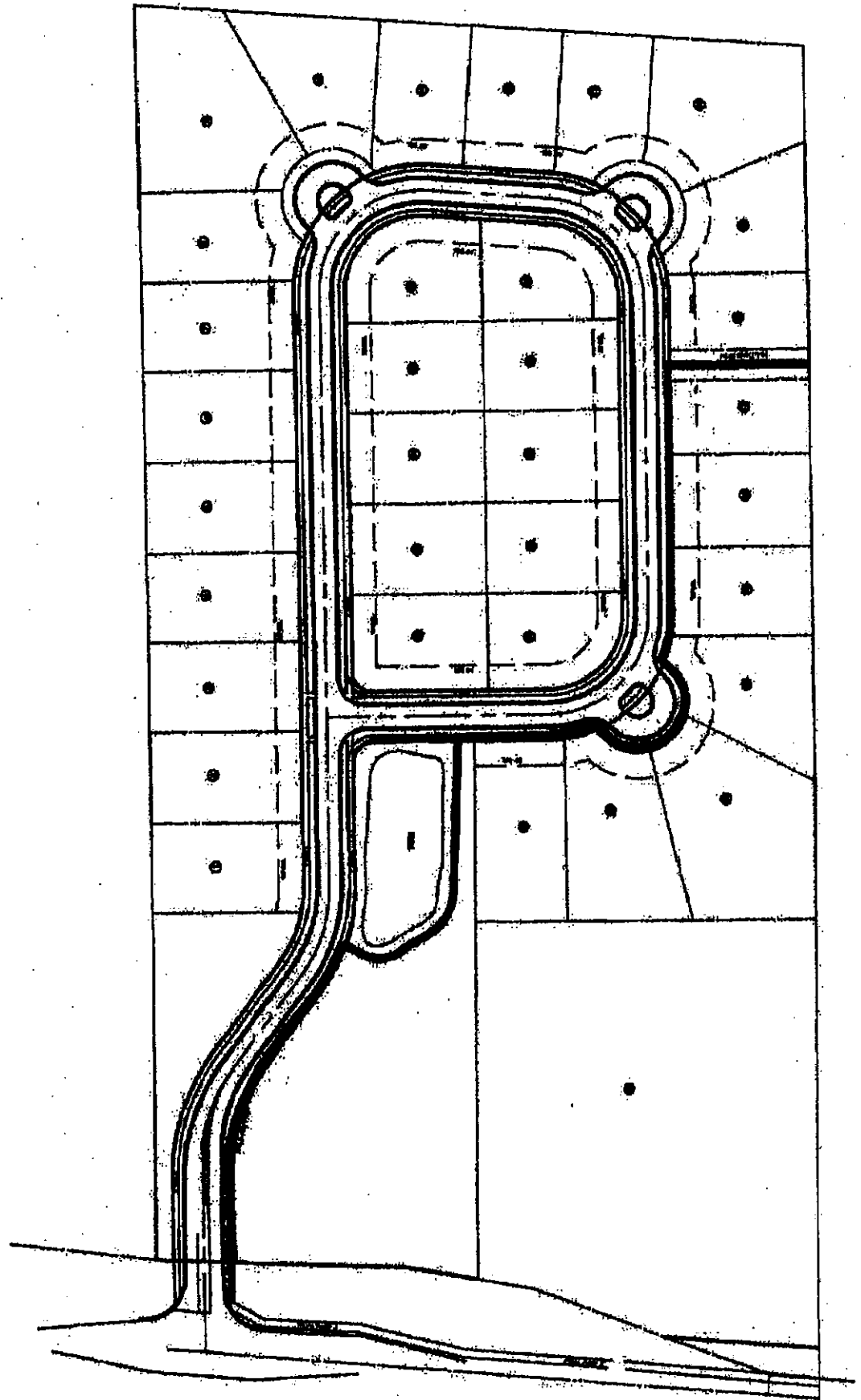


EXHIBIT "C"

HILLSDALE PUD
ALTERNATIVE CONCEPT PLAN



Dickey, Jodi

From: Pittman, Darren [dpittman@emht.com]
Sent: Thursday, June 23, 2005 11:08 AM
To: Dickey, Jodi
Cc: Jesse M. Pohlman
Subject: RE: Hillsdale meeting.

Thanks Jodi,

Thanks for the feedback on the waivers.

I will add a 30-foot easement thru the common areas and adjust the common area between 16 and 17 by moving the common area over 5-feet to 30-feet total. Will also label the 6-foot walks and I am setting up a meeting with the Landscape Architect regarding the "Tree Preservation Area"

I think by next spring when MI will most likely be ready to construct the trail, the county will have a better idea on their timing for Olio Road. MI can discuss with their attorney the language to be used in the agreement and forward it to Fishers for your review.

Thanks again for your attention to these matters.

Darren T. Pittman, P.E.**Project Manager****EMH&T, Inc.**

(O) 317-913-6930
(F) 317-913-6928
(E) dpittman@emht.com

From: Dickey, Jodi [mailto:dickeyj@fishers.in.us]
Sent: Thursday, June 23, 2005 10:52 AM
To: Pittman, Darren
Subject: RE: Hillsdale meeting.

Hey Darren,

I spoke with Jeff this morning, he is supportive of the curve radius waiver, and planning supports the access waiver for Olio Road. Wes isn't sure we really need the access one, since the County controls Olio Road. I would prefer to go ahead and request that since it's the Town's subdivision control ordinance. Anyway, I've written my report with both requests included and suggested approval. I don't have a final copy of my staff report yet, since Wes hasn't reviewed it. I'll send you a copy as soon as I can.

I do have a couple of comments on your revised plans..... the trail easement, per the ordinance, needs to be 30 feet wide. The access between Lots 16 & 17 is shown as 25 feet. Also, you probably should show that easement along the entire length of the trail (except in front of the homes). I know most of it is in the common area, but just to be safe. Also, please label the multi-use path inside the subdivision as 6 feet wide when it travels in front of the homes. That will help differentiate it from the usual 5 feet wide sidewalk. And, I still need details on the Tree Preservation Plan. The preservation area is designated on the plans, but the ordinance states a plan will be

6/23/2005

submitted.

Wes is open to the escrow idea, but he wants some agreement satisfactory to the TOWN that allows us to dictate when the perimeter path goes in, just in case the County takes a 5 year pass on this. He suggested some sort of agreement that they (developer) pay the County when the County does the project OR they (developer) put it in at Town's request.

Jodi

-----Original Message-----

From: Pittman, Darren [mailto:dpittman@emht.com]
Sent: Thursday, June 23, 2005 10:41 AM
To: Heiking, Jeffrey
Cc: Dickey, Jodi
Subject: RE: Hillsdale meeting.

Good morning Jeff,

We may still meet yet this week, if Mike responds.

County Highway is open to the idea of placing funds in escrow for the Olio Road Multi-use Trail. If the trail is installed concurrently with the development they will be removing it most likely within a year of it being constructed. They have plans for Olio, just waiting on the funding.

I spoke with MI Homes, they are very agreeable to posting speed limits of 20mph. There will only be 33 lots on the looped street. The centerline grades along these 100-ft curves will be less than 2% with the majority around 1%. They would like this to be a nice quiet neighborhood for the \$350k to \$450k homes that will be constructed.

Can you give me feedback on your position on our centerline waiver request? We are working on final design for streets, drainage, road, sewers etc... The attorney would also like staffs opinion before Plan Commission on July 13th.

Thanks.

Darren T. Pittman, P.E.
Project Manager
EMH&T, Inc.

(O) 317-913-6930
(F) 317-913-6928
(E) dpittman@emht.com

From: Heiking, Jeffrey [mailto:heikingj@fishers.in.us]
Sent: Thursday, June 23, 2005 9:18 AM
To: Pittman, Darren
Subject: RE: Hillsdale meeting.

Darren,

I am not available until next week.

Jeff Heiking

-----Original Message-----

From: Pittman, Darren [mailto:dpittman@emht.com]

Sent: Wednesday, June 22, 2005 11:25 AM

To: Michael McBride; Heiking, Jeffrey

Subject: Hillsdale meeting.

Mike and Jeff,

Are you gentlemen available this Thursday or Friday afternoon for a meeting with Fishers Planning regarding Hillsdale and Olio Road???

Thursday (6/23) in the afternoon is the preferred time. But, Friday afternoon is still an option.

Let me know ASAP.

Thanks.

Darren T. Pittman, P.E.

Project Manager

EMH&T, Inc.

(O) 317-913-6930

(F) 317-913-6928

(E) dpittman@emht.com

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Dickey, Jodi

From: Pittman, Darren [dpittman@emht.com]
Sent: Tuesday, June 21, 2005 10:42 AM
To: Dickey, Jodi
Subject: Hillsdale Multi-use Trail

Jodi,

I finally landed a meeting with the Hamilton Co. Hwy Dept. this morning. They have Construction plans for Olio Road and are waiting for the funding to come thru (Right of way is in place; may be 1-2 years before start of construction). They would like for us to escrow funds for the Multi-use Trail along Olio Road at this time. During their construction along Olio they would rip out whatever trail we would be installing anyway. There storm sewer will be located directly under the trail. The trail to the south does not have a connection at this time. Would Fishers be willing to follow their recommendation to escrow funds???

Also, as far as the trail on the interior of the site adjacent to the roadways, it is not clear as to what Fishers would like to be constructed. We would be using 8-foot asphalt in the common areas but along the roadways there is not sufficient room for an 8-foot trail. We show 5-foot concrete walks around the remaining r/w. Can you give us direction on what Fishers is looking for? This may be a question for Jeff Heiking?

I will be submitting 4-sets of revised plans to your office tomorrow.

Thanks for your help.

Darren T. Pittman, P.E.
Project Manager
EMH&T, Inc.

(O) 317-913-6930
(F) 317-913-6928
(E) dpittman@emht.com

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6/24/2005

Dickey, Jodi

From: Dickey, Jodi
Sent: Tuesday, May 31, 2005 3:31 PM
To: 'dpittman@emht.com'
Subject: Hillsdale project

Darren,

I just finished talking with Gary Pruitt, the parks director, about the trail location for the Hillsdale subdivision. He prefers Concept C because that preserves the slopes and makes them less likely to erode with use. He realizes that placing the trail/easement in people's front yards might not be optimal, but it is better environmentally.

I don't know if there is a way to place the easement in the rear yards of some of the lots (#17-20) before bringing the trail next to the street. That would eliminate the need to have the trail in so many front yards. Just a thought.

Let me know if you have questions.

Jodi Dickey, AICP
Planner I
Town of Fishers

7-DP-05 **1/8 mile south of intersection of Olio Road and 104th Street.** Site access waiver request for Hillsdale PUD 34 lots on 19.03 acres, zoned PUD-R, by M/I Homes of Indiana.

Associated Files:

25-IZ-04	Initial Zoning, Hillsdale PUD
010305C	Town Council ordinance
7-DP-05	Hillsdale PUD Detailed Development Plan

The petitioner is requesting a waiver of the Subdivision Control Ordinance to allow two access points from a subdivision onto an arterial street. Currently, the Ordinance allows only a single such access point (per 153.33, N, 15).

In granting this site access waiver, the Advisory Plan Commission should consider the overall health, safety, and welfare of the community, as well as the desirability of the plan proposal.

The plan does provide for safe and convenient ingress/egress for the subject property. The overall number of lots (34) is relatively small, and a second access point should not overburden Olio Road.

Granting the waiver will allow the petitioner to proceed now. Otherwise, the petitioner will need to apply for and be granted a Development Standard Variance through the Board of Zoning Appeals. A second option would be to have the petitioner submit a second subdivision plat for a single lot (in this case Lot 34). Staff believes both of these options are unnecessarily cumbersome and would result in needless delays in this project.

RECOMMENDATION

Approve the waiver of Subdivision Control Ordinance 153.33, N, 15, and allow two access points on Olio Road for 7-DP-05.

Check to see who owns Olio - Ham. Co.
or us?

Will county require existing driveway
to be tied into accel/decel lane?

emailed
mike on
6/15

7-DP-05 **1/8 mile south of intersection of Olio Road and 104th Street.** Detailed Development Plan Hillsdale PUD 34 lots on 19.03 acres, zoned PUD-R, by M/I Homes of Indiana.

EXHIBITS

1. Staff Report, 07/13/05
2. Findings of Fact, 07/13/05
3. TAC Comments, 05/26/05
4. Petitioner's plans
5. Waiver request, 07/13/05

Associated Files:

25-IZ-04	Initial Zoning, Hillsdale PUD
010305C	Town Council ordinance

ANALYSIS

This detailed development plan review and approval is for the Hillsdale PUD. The proposal is for the creation of 34 single-family lots. The 19-acre parcel is located on the east side of Olio Road, approximately 1/8th mile south of 104th Street.

The subject property is zoned PUD-R (Planned Development-Residential) and is currently being used for one single-family residence. Single family residential uses are permitted in the PUD-R zoning district.

The site is currently heavily wooded and contains a single family residence. Bee Camp Creek runs through the property beginning at Olio Road, running about 300 feet east before turning south, traveling 340 feet and exiting the property. As shown on the proposal, Common Area #2 would surround the creek until it turned south, and then the creek would be located entirely on the proposed Lot 34.

Surrounding land to the north is zoned R-2 and is currently institutional in use (Geist Elementary School). Surrounding land to the east and south is zoned PUD (Southeast Fishers PUD) and is currently being developed for residential uses. Surrounding land to the west (across Olio Road) is zoned R-2 and is currently residential in use (Springs of Cambridge subdivision).

This property received Initial Zoning approval at the April 18, 2004 Town Council meeting (Ordinance 010305C). The property was rezoned from Noblesville R-1 to PUD-R. The property has been annexed into the Town's corporate boundaries.

This petition was reviewed at the May 26, 2005, TAC meeting; comment letters from Town and County agencies are attached to this report (see Exhibit 3).

DEVELOPMENT PLAN REVIEW

Development Requirements – General

The development plan complies with the applicable PUD-R zoning standards and the applicable Development Plan Review standards (less any listed conditions of approval).

The site is not subject to any overlay or special use zoning restrictions.

The site is not in violation of any existing Town regulations.

The Town of Fishers Conceptual Guide for Future Land Use map designates this location as “Low-Density Single Family Residential” area. The proposed project is consistent with this Future Land Use Guide.

The site is served by ^{private utility} municipal water and sewer lines. There were no comments offered at the May 26, 2005 TAC meeting regarding site circulation, traffic generation, or utility installation.

Development Requirements – Residential R-3 zoning district

Permitted Uses- single family residential is a permitted use in the R-3 District. This proposal complies with this standard.

Lot area- the minimum lot size for R-3, as modified by this PUD ordinance, is 11,700 square feet. The proposal shows thirty-four (34) lots, each meeting or exceeding this minimum square feet requirement.

Setbacks- this proposal meets the front, side, and rear yard setback requirements. The PUD allows a minimum 5’ side yard setback with a 15’ minimum aggregate

Maximum lot coverage- this proposal meets the maximum lot coverage of 35%.

Site Access and Circulation

The petitioner’s plans provide safe and efficient movement of vehicles both into and within the site. A driveway cut currently exists on Olio Road, serving the present home. The petitioner is proposing to keep that driveway in its current location and to provide a new road access to the north allowing ingress to the remaining proposed lots.

The Subdivision Control Ordinance allows only a single access point from a subdivision onto an arterial street (153.33, N, 15). The Advisory Plan Commission may wish to consider granting a site access waiver to accommodate the proposed two access points. A Request for Waiver is included as Exhibit 5.

The Fishers Park Department has created a master plan for the Bee Camp Creek greenway trail. The master plan calls for this trail to run along the upland areas of Bee Camp Creek. Part of this trail runs through this project proposal. The petitioner has agreed to grant the Town a 30’ wide trail easement, placed where it is most desirable to

the Town. Conceptually, this easement is shown on the plans in the location approved by the Town Council as "Exhibit C" of Ordinance 010305C (Exhibit 4).

Landscaping

The petitioner has submitted a conceptual landscape plan based on the approved Hillsdale PUD ordinance.

Perimeter Planting Standards (replaces Section 3 of landscape ordinance)

A 200' wide buffer along Olio Road shall be maintained with the existing stand of trees. This buffer replaces Section 3 of the landscape ordinance. That buffer easement is not noted on the landscape plans.

A separate rear yard buffer easement is required along the northern and eastern perimeters of the property. Evergreen trees of 12-15' in height should be placed approximately every 25' within this easement. The easement is noted on the plans. However, the plants specified do not meet the minimum height and spacing required.

Street Trees

Canopy trees must be placed about every 40' to ~~60'~~^{60'} along both sides of the streets within the subdivision. Plans submitted by the petitioner comply with this standard.

Lot and Foundation Plantings (replaces Section 6 of the landscape ordinance)

Three (3) canopy trees are required per lot, with at least one in the front yard. Additionally, ten (10) shrubs are required along any building foundation facing a street. Corner lots are required to plant six (6) shrubs to meet the foundation planting standards. Adherence to this standard will be determined prior to issuing a Certificate of Occupancy for the home.

Parking Lot Plantings (Section 7 of the landscape ordinance)

No parking lots are planned for this development; therefore this section does not apply to this project.

Buffer yard Standards (Section 8 of the landscape ordinance)

Buffer yards are required between differing uses. In this case, the subject property abuts single-family residential on all sides. No buffer yard is required.

NOTE: The Advisory Plan Commission may wish to make it a condition of approval that the petitioner submits a revised landscape plan showing any necessary amendments for staff approval prior to the issuance of an Improvement Location Permit for this project.

Lighting

The petitioner is showing the required street lights at road way intersections.

Building Orientation and Materials

Ordinance #010305C (Hillsdale PUD) sets forth specific architectural standards and requirements. Review for compliance with these standards will occur at the building permit stage.

Plan Documentation

Pending compliance with any conditions, the petitioner will have provided the required documents: Site Plan, Landscape Plan, Lighting Plan, Building Elevations, and Site Access and Circulation Plan.

Procedures

The petitioner has followed all required procedures by attending a pre-filing conference, filing all necessary forms, documentation and fees, attending a Technical Advisory Committee meeting, and providing public notice.

FINDINGS OF FACT

The Advisory Plan Commission must determine the following:

1. The proposed development is consistent with the intent and purpose of the Comprehensive Plan.

Finding: The Town of Fishers rezoned this property from R1 Noblesville Residential Single-Family to Planned Unit Development – Residential. By rezoning this property, with commitments, the Town has deemed this development to be consistent with the intent and purpose of the Comprehensive Plan.

2. The proposed Development Plan satisfies the development requirements specified in this ordinance.

Finding: Pending compliance with any conditions, the proposed development plan satisfies the applicable requirements specified in the Town of Fishers Zoning Ordinance.

RECOMMENDED MOTION:

Approve the petition, with the following conditions:

1. ~~That the petitioner complies with any requirements from the Town of Fishers Public Works Department;~~
2. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
3. That the petitioner complies with any requirements from the Hamilton County Soil and Water Conservation District;
4. That the petitioner submits a revised landscape plan for staff approval; and,

5. That these conditions be fulfilled prior to receiving Secondary Plat approval.

To finalize the approval of this development plan, sign the attached findings of fact sheet (Exhibit 2).

In the event that this development plan is not approved, please briefly state the reasons on the attached findings of fact sheet (Exhibit 2).



Letter of Transmittal

To: Ms. Jodi Dickey, Planner 1
Town of Fishers Department of Development
1 Municipal Drive
Fishers, IN 46038

From: Mr. Darren Pittman
Date: June 22, 2005
Job No.: 2004-1966
Re: Hillsdale PUD

We are sending you herewith via: Courier U.S. Mail Fed. Ex. UPS

The following items: copies originals [other]

Copies	Date	Number of sheets	Description
4-sets	6-22-05	4	Detailed Development Plans

These are transmitted as checked below:

for approval for your file as requested for review & comment
 for execution / signatures [other]

Remarks:

Jodi:

We are submitting 4-sets of Detailed Development Plans for your files. The plans have been revised per the TAC meeting on May 26th. If you have any questions regarding our application, please contact me at the number above. Per my previous email we are scheduling a meeting with your office and the Highway Department to clarify issues with Olio Road and the Hamilton County Highway Departments current plans for road improvements that will take place in about 1-year. Also to be discussed are the two development standard waivers for the entrances and center line radii. Review comments can be sent to my attention at the fax number or address above.

Copies To: Ms. Christie Kallio, MI Homes
EMH&T, Inc.

Signed: Darren T. Pittman
Darren Pittman, PE
Project Manager

If enclosures are not as noted, kindly notify us at once.

Affidavit of Notice of Public Hearing
Town of Fishers Plan Commission

I(we) Jesse Pohlman do hereby certify that notice of public hearing to consider docket number: 7-DP-05 was sent by first class mail to the last known address of each of the following persons, they being all persons to whom notice was required to be sent by the Rules, Regulations and Procedures of the Advisory Plan Commission of the Town of Fishers, Indiana:

OWNER'S NAME	ADDRESS
Mary Beam	10190 Olio Road, , McCordsville, IN 46055
Jeffrey & Kimberly Winn	10338 Camp Creek Lane,,McCordsville,IN 46055
James & Sarah Ruddell	10340 Camp Creek Lane,,McCordsville,IN 46055
Dr. John Lowe & Elizabeth Lowe	10342 Camp Creek Lane,,McCordsville,IN 46055
John & Linda Dangerfield	10344 Camp Creek Lane,,McCordsville,IN 46055
Ryan & Dawn Thomas	10351 Springstone Rd,,McCordsville,IN 46055
Cambridge Property Owners Association Inc.	13758 Beam Ridge Drive,,McCordsville,IN 46055
Gary & Teresa Berry	3519 Hollow Run Cir Apt 62,,Indianapolis,IN 46214
Charles & Julie Miramonti	13727 Creekridge Lane,,McCordsville,IN 46055

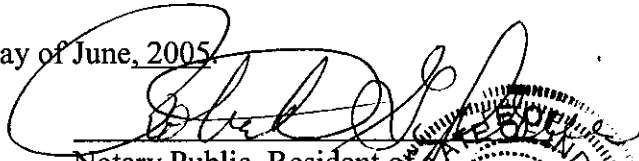
(attach additional sheets if necessary)

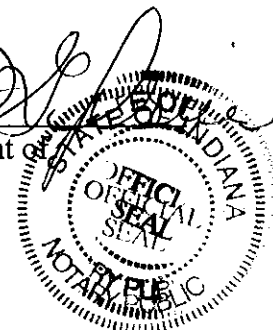
And that said notices were mailed by first class mail on the 21st day of June, 2005 being at least fifteen (15) days (not counting the day of the hearing) prior to the scheduled public hearing.

And that the timely proof for said first class mailing(s) are attached hereto.

Jesse M. Pohlman
 Petitioner, Attorney, or authorized agent

Witness my hand and Notarial seal, this 27th day of June, 2005.


 Notary Public, Resident of
 Hamilton County



My Commission Expires:

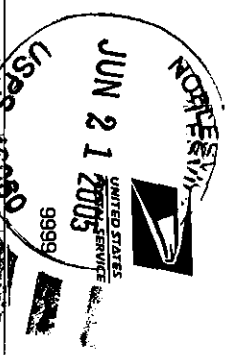
3-29-2007

Sunhe Baik	13738 Creekrdige Lane,,McCordsville,IN 46055
Princeton Group, Inc	489 SR 135 S Ste C,,Greenwood,IN 46142
George & Robin Geiger	9800 Westpoint Dr. Ste 200,,Indianapolis,IN 46256
Sam Yi & Sang Hee Yi	1123 Hopkins Rd,,Indianapolis,IN 46229
Olio Road Partners LLC	9800 Westpoint Drive,,Indianapolis,IN 46236
Hamilton Southeastern N. Delaware School Building C	13485 Cumberland Road,,Fishers,IN 46038
GEH Development LLC	9011 Meridian St N Ste 202,,Indianapolis,IN 46260
Larry & Linda Ross	9996 Olio Rd,,McCordsville,IN 46055
Sally Presser	10016 Olio Rd,,McCordsville,IN 46055
Scott & Linda McGilvrey	10036 Olio Rd,,McCordsville,IN 46055
Edward & Charl Bechel	10056 Olio Rd,,McCordsville,IN 46055
McKay Cemetery	11400 Olio Rd,,McCordsville,IN 46055
Joshua Huck	10890 Florida Road,,Fortville,IN 46040
Richard F & Lorraine G Walling	13760 Creekridge Ln,,McCordsville,IN 46055
Precedent Residential Development LLC	9339 Priority Way West Dr #,,Indianapolis,IN 46240

Name and Address of Sender:
Bingham • McHale
 Attorneys at Law
 970 Logan Street • Noblesville, Indiana 46060

Check type of mail or service:
 Certified
 COD
 Delivery Confirmation
 Express Mail
 Insured
 Recorded Delivery (International)
 Registered
 Return Receipt for Merchandise
 Signature Confirmation

Affix Stamp Here
 (If issued as a certificate of mailing, or for additional copies of this bill) Postmark and Date of Receipt



Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Declared Value	Insured Value	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
1	Mary Bearn 10190 Olio Road McCordsville, IN 46055	.37	.30									
2	Jeffrey & Kimberly Wrinn 10338 Camp Creek Lane McCordsville, IN 46055	.37	.30									
3	James & Sarah Ruddell 10340 Camp Creek Lane McCordsville, IN 46055	.37	.30									
4	Dr. John Lowe & Elizabeth Lowe 10342 Camp Creek Lane McCordsville, IN 46055	.37	.30									
5	John & Linda Dangerfield 10344 Camp Creek Lane McCordsville, IN 46055	.37	.30									
6	Ryan & Dawn Thomas 10351 Springstone Rd McCordsville, IN 46055	.37	.30									
7	Cambridge Property Owners Association Inc. 13758 Beam Ridge Drive McCordsville, IN 46055	.37	.30									
8	Gary & Teresa Berry 3519 Hollow Run Cir Apt 62 Indianapolis, IN 46214	.37	.30									
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster: Per (Name of receiving employee)								

The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for the reconstruction of nonnegotiable documents under Express Mail document reconstruction insurance is \$500 per piece, but not all countries. The maximum indemnity payable for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500, but optional Express Mail Service merchandise insurance is available for up to \$5,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

PS Form 3877, February 2002

Complete by Typewriter, Ink, or Ball Point Pen

14975.59368-

895016

Delivery Confirmation
 Signature Confirmation
 Special Handling
 Restricted Delivery
 Return Receipt

Name and Address of Sender
Bingham • McHale
 Attorneys at Law
 970 Logan Street • Noblesville, Indiana 46060

Check type of mail or service:
 Certified
 COD
 Delivery Confirmation
 Express Mail
 Insured
 Recorded Delivery (International)
 Registered
 Return Receipt for Merchandise
 Signature Confirmation

Affix Stamp Here
 (If issued as a certificate of mailing, or for additional copies of this bill) Postmark and Date of Receipt

Article Number	Addressee (Name, Street, City, State, & ZIP Code)	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RD Fee	RR Fee
9	Charles & Julie Miramonti 13727 Creekridge Lane McCordsville, IN 46055	.37	.30									
10	Sunhe Baik 13738 Creekridge Lane McCordsville, IN 46055	.37	.30									
11	Princeton Group, Inc 489 SR 135 S Ste C Greenwood, IN 46142	.37	.30									
12	George & Robin Geiger 9800 Westpoint Dr. Ste 200 Indianapolis, IN 46256	.37	.30									
13	Sam Yi & Sang Hee Yi 1123 Hopkins Rd Indianapolis, IN 46229	.37	.30									
14	Hamilton Southeastern N. Delaware School Building C 13485 Cumberland Road Fishers, IN 46038	.37	.30									
15	GEH Development LLC 9011 Meridian St N Ste 202 Indianapolis, IN 46260	.37	.30									
16	Larry & Linda Ross 9996 Olio Rd McCordsville, IN 46055	.37	.30									
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office		Postmaster: Per (Name of receiving employee)								

The full declaration of value is required on all domestic an international registered mail. The maximum indemnity payable for the reconstruction of negotiable documents under Express Mail document reconstruction insurance is \$500 per piece subject to additional limitations for multiple pieces lost or damaged in a single catastrophic occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500, but optional Express Mail Service merchandise insurance is available for up to \$5,000 to some, but not all countries. The maximum indemnity payable is \$25,000 for registered mail sent with optional postal insurance. See Domestic Mail Manual R900, S913, and S921 for limitations of coverage on insured and COD mail. See International Mail Manual for limitations of coverage on international mail. Special handling charges apply only to Standard Mail (A) and Standard Mail (B) parcels.

Delivery Confirmation
 Signature Confirmation
 Special Handling
 Restricted Delivery
 Return Receipt

PS Form 3877, February 2002
 14975.59368

Complete by Typewriter, Ink, or Ball Point Pen

TOWN OF FISHERS

DEPARTMENT OF DEVELOPMENT



Town Council

Scott A. Faultless
President

Eileen N. Pritchard
Vice President

Stuart F. Easley
Timothy O. Lima
Daniel E. Henke
Charles P. White
David C. George

Clerk-Treasurer

Linda Gaye Cordell

July 19th, 2005

Christie Kallio
8500 Keystone Crossing, Suite 190
Indianapolis, IN 46204

RE: Plan Commission Results

Dear Ms. Kallio,

At the July 13th, 2005 Plan Commission meeting, the Town of Fishers Plan Commission voted 5-0 to approve the Detailed Development Plan and entry and radi waivers for Hillsdale with the following conditions:

1. That the petitioner complies with any requirements from the Town of Fishers Engineering Department;
2. That the petitioner complies with any requirements from the Hamilton County Highway Department;
3. That the petitioner complies with any requirements from the Hamilton County Surveyor's Office;
4. That the petitioner complies with any requirements from the Hamilton County Soil and Water Conservation District; and,
5. That these conditions be fulfilled prior to receiving Secondary Plat approval.

Sincerely,

A handwritten signature in black ink that reads "Joe Y. James". The signature is written in a cursive style.

Joe Y. James
Development Planner



May, 2005

M/I Homes of Indiana
8500 Keystone Crossing, Suite 190
Indianapolis, IN 46204
Attn: Ms. Christie Kallio

RE: 7-DP-05 Hillsdale

Dear Ms. Kallio:

Town staff has reviewed the Development Plans and Primary Plat for Hillsdale. Development staff has the following comments that need to be resolved.

MISCELLANEOUS:

1. Fishers Town Engineering department may have forthcoming statements in a separate letter.
2. Please remove the eyebrows and associated islands.
3. Fire hydrant locations should be shown on the plans. Hydrants are required to be placed at least every 500'.
4. The development may also be required to comply with the Hamilton County Surveyor's Office and the Soil and Water Conservation District Office regulations.
5. Please submit a drainage report for staff review.

PLAT:

6. Per Chapter 153 (Subdivision Control, 153.33, N, 15), only one street shall be permitted from a subdivision onto an arterial street or road. Lot 34 has no connection to the main subdivision entrance. A site access waiver may be an option to resolve this issue.
7. Per Chapter 153 (153.33, N, 22, b) the minimum curve radius for streets is 150'. The curve radii shown on the plans are 100'.
8. The plat submitted for DP approval does not match the concept plan submitted for Advisory Plan Commission review and Town Council approval. The DP plat should be altered to match what was approved by the Town Council.

STREETS AND SIDEWALKS:

9. The 8' wide asphalt path along Olio Road should extend to each property line. As shown on the plans, the path ends on the south side of the entry road.
10. The multi-use path should be shown as it is on the Alternative Concept Plan Exhibit C. This will allow residents to safely and easily access the trail from the subdivision as

opposed to being required to walk to the entrance to access the trail. Also, the required 30' wide trail easement should be shown on the plans.

11. The minimum right-of-way is 50', with a minimum curb-to-curb street width of 30'. The plans submitted do not show the right-of-way and show a 26' pavement width.
12. Chair back curbs are required for accel/decal lanes. These curbs should extend to within 2' of the road pavement.
13. Remove the eyebrow islands.

LANDSCAPING:

14. Please provide a tree conservation plan in accordance with the Hillsdale PUD and landscape ordinance 080403C for the 200' buffer along Olio Road.
15. The landscape easement along the east and north property lines should be denoted on the Primary Plat. According to the Hillsdale PUD, this easement should contain 12-15' tall evergreen trees, 25' on center. The plans submitted show 10' evergreen trees planted 20' on center. Also, the plans depict only a single type of evergreen species. Two or three different evergreen species should be used in this rear yard buffer.
16. Landscaping is required for each lot. Plans submitted do not show the required tree and shrub landscaping.

Please submit four sets of revisions after the TAC meeting on May 26, 2005. Staff reserves the right to highlight other concerns at a later date that may not be included in this letter. ***The revisions should include a letter addressing each comment, referring to the page on which the revision can be found.*** At that time we require a digital copy of the final plans and as-builts turned in with the revisions in .dwg, and .tif or .pdf format. After receiving secondary plat approval, a recordable Secondary Plat or Final Detailed Development Plan should be submitted on 15 ½" x 17" mylar along with a digital copy of the recorded plat in .dwg format. These plans/mylars and digital copies must be submitted prior to the release of a subdivision, or for a project to proceed to its next step in the Town of Fishers' review and approval process. Please note that site work cannot begin until the appropriate permit or release has been issued.

Should you have any questions or concerns, feel free to contact me at (317) 595-3120.

Sincerely,

Jodi Dickey, AICP
Planner I, Town of Fishers

cc: Town Staff (Brandau, Brimbury, Campbell, Elder, Fehribach, Isaacs, James, Mascari, Pethel, Robson, Turner, Williams)

Attachments:

- TAC Agenda

Dickey, Jodi

From: Dickey, Jodi
Sent: Tuesday, May 31, 2005 3:31 PM
To: 'dpittman@emht.com'
Subject: Hillsdale project

Darren,

I just finished talking with Gary Pruitt, the parks director, about the trail location for the Hillsdale subdivision. He prefers Concept C because that preserves the slopes and makes them less likely to erode with use. He realizes that placing the trail/easement in people's front yards might not be optimal, but it is better environmentally.

I don't know if there is a way to place the easement in the rear yards of some of the lots (#17-20) before bringing the trail next to the street. That would eliminate the need to have the trail in so many front yards. Just a thought.

Let me know if you have questions.

Jodi Dickey, AICP
Planner I
Town of Fishers



HAMILTON COUNTY

HIGHWAY DEPARTMENT

May 25, 2005

Mr. Darren Pittman
EMH & T
6994 Hillsdale Court
Indianapolis, IN 46250

COPY

VIA FAX

RE: Hillsdale PUD
S of 104th Street/ E. of Olio Rd
Fall Creek Township

Dear Mr. Pittman:

This letter serves to acknowledge receipt of a transmittal containing the plans for the above-mentioned project.

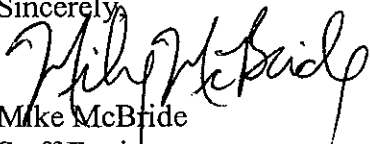
1. An *Application for Project Review* needs to be completed and the appropriate review fees paid, before any approvals will be granted from this office. I have enclosed a blank form for your use.
2. We will be interested in the portion of the project within the right of way of Olio Road. We understand that the interior streets will be under Fishers jurisdiction. Please notify us if that is incorrect.
3. Please note the design speed on cover sheet
4. The entrance geometry needs to be detailed.
5. Drainage improvements are needed to exterior road
6. Pavement section for interior streets needs to be shown.
7. Pavement section for exterior streets needs to be shown.
8. Vertical curve info on Olio Road is needed.
9. R/W along Olio Rd. needs to be a uniform 75' half.
10. 15' DUE is needed.
11. Bridge structure on Olio Rd. may need to be improved.
12. Olio Road will need to be improved along full frontage of property.
13. Striping plan for road improvements needed.
14. Corner cuts needed on R/W at Olio Rd.
15. 2' non access easement needed.
16. Has the right of way necessary for the installation of the passing blister and accel/decel lanes been acquired? If so, please forward the dedication documents to our office.
17. Please include the subsurface drain in the street cross section and the

development plans.

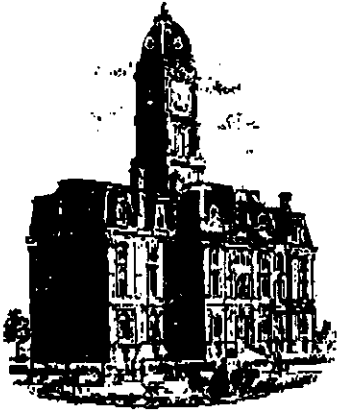
18. Please note that decorative signs, sprinkler systems, trees, landscaping mounds, fences, light poles or other such amenities are not permitted in the right of way.
19. Please provide a note that the pavement shall be saw cut to provide a smooth transition.
20. Before any approvals are granted for the secondary plat, performance bonds must be submitted for 100% of the construction cost of the following items: Stone Base, HAC Binder, HAC surface, Concrete Curbs and Street Name and Regulatory Signs.
21. Please prepare a detail of the entrances. The detail should include a pavement cross section and layout of the accel/decel lanes as well as the passing blister on the west side of Olio Road. Other things which will need to be included will be the curb return radius (35'), the pavement cross section for Olio Road (14" stone base, 5" HMA Intermediate course and 1" HMA surface course), lengths of the tapers and lanes and a striping plan for the passing blister plus any other pertinent information.
22. The construction plans will need to include a sheet titled Maintenance of Traffic. The notes should include but not be limited to the following: Flagger Ahead signs to be covered or taken down when flaggers not present, and Any drop off adjacent to the travel lane which exceeds 4" must have type II drums with type 'A' flashers spaced every 100'.
23. Please provide a sheet titled Traffic Control. Included on this sheet should be the placement of a stop sign, street name sign and 25-MPH sign. Also include the Hamilton County Highway Department standard plans S-1, S-2 and S-3.
24. As you are aware, whenever a Developer proposes a new subdivision within the County, the Highway Department expects the Developer to participate in improving nearby roads and/or small structures around the subdivision which will be directly affected by the new subdivision residents. Typical improvements include widening roads to current County specifications, deep patching when necessary, wedging and resurfacing the road, installing three foot stone shoulders and repairing or replacing drainage structures.

25. Per County Ordinance, storm water is not permitted to discharge into the right of way . Please revise the plans to correct the situation wherever this situation occurs.
26. All offsite utility work that is within the right of way of the exterior streets will need to be permitted through this office. Please contact Mr. Dave Lucas Robb Chadwell for the necessary permits and information.
27. Please be aware that further comments may be necessary at a later time.

Sincerely,



Mike McBride
Staff Engineer



Kenton C. Ward, Surveyor

Phone (317) 776-8495

Fax (317) 776-9628

Suite 188

One Hamilton County Square

Noblesville, Indiana 46060-2230

May 24, 2005

Rusty Skoog
Falcon Engineering

Re: Bee Camp Creek Master Plan

Rusty,

The purpose of this letter is to confirm the requirement for a master plan that addresses the improvements to Bee Camp Creek upstream of Olio Road.

As you know, last year the Hamilton County Drainage Board commissioned Christopher B. Burke Engineering, Ltd to conduct a hydraulic study of Bee Camp Creek. This was done as a part of the Springs of Cambridge Regulated Drain, which includes the watershed of Bee Camp Creek.

As a result of the study, specific flow rates were approved and an erosion control master plan was required by the Drainage Board. With regard to the master plan, the Board required that the problem areas along the creek be identified and that a master plan be developed that specifies what measures will be taken to improve those problem areas. Projects within the watershed will be released when that master plan is developed.

Pursuant to that end, as you recall, we walked the length of the drain upstream of Olio Road with other people representing the other affected projects. During this trek in the rain, Jerry Liston, Surveyor's Office Inspector discussed that the petitioners are to design the improvements and this office will review those proposals. The Drainage Board's requirement for a master plan for improvements along the open drain was also discussed at that time. This office maintains that a single master plan is required. We have also stated that the various engineers are to coordinate their efforts to fulfill this requirement. This office does not interpret that piece-meal submittals for various projects fulfills this requirement.

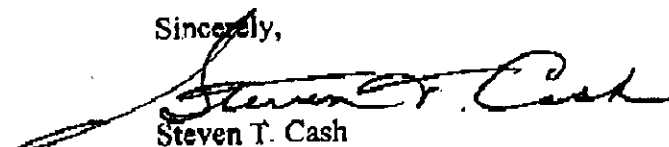
The procedure for approval will be as follows: A preliminary master plan will be developed and presented to the Surveyors Office for review. Comments, if any, will be generated by this office based on the review. The plan will then be revised pursuant to those requirements. Upon satisfactory revision of the plan and approval by this office, the master plan will be presented to the Drainage Board for adoption.

It is my belief that the procedures I have described above, if successfully completed, will fulfill the requirements of the Drainage Board and the County Surveyor. As you know, projects within this watershed are being delayed until this approval is given. Any assistance that you can give to move this process along will aid in the release of your client's projects.

Please understand that this approach depends upon the coordinated efforts of the various parties involved. Failure to fulfill the requirements of the Drainage Board will result in further delay (followed by violation notice, stop-work-order and fines if construction occurs without approved Outlet Permits). Of course, my desire is that diligent follow up and submittal of the master plan with help avoid any more delay and that approval per our previous comments can be granted.

Thank you for your attention to this matter.

Sincerely,



Steven T. Cash
Plan Reviewer

Cc: Fishers
Co. Hwy
SCS
Stoepelwerth

TOWN OF FISHERS

DEPARTMENT OF DEVELOPMENT



MEMORANDUM

DATE: August 9, 2005
TO: Regular PUD Committee
FROM: Jodi Dickey, Development Dept.
RE: PUD Committee review of Hillsdale subdivision architecture

Request: M/I Homes is requesting the approval of thirty-three (33) new home models and a total of nineteen (19) elevations for the Hillsdale subdivision located on Olio Road, south of 104th Street. The Hillsdale PUD was approved in June of 2005. The subdivision will be constructed in one section.

Staff Comments: This PUD Committee approval is to determine if the submitted home elevations conform to Fishers 'anti-monotony' code. Staff has reviewed the submitted elevations and prepared a matrix highlighting which elevations are too similar and should not be built next to or across from each other.

In addition to not allowing the same model name and type to be constructed next to each other (i.e., Watkins A next to Watkins A), the following models were determined to be too similar:

- Monterey A /Monterey B

All other models are different enough (side load garage vs. front load; differing roof lines; porches, etc.) to be permissible.

Staff Recommendation: Approval models as submitted.

Mascari, Terri

From: James, Joe
Sent: Wednesday, April 20, 2005 12:00 PM
To: Bucher, Wes; Isaacs, Jon; Brandau, Rick; Mascari, Terri
Subject: 4-18 TC notes

Brooks Park – I believe it was approved with the condition that a median would be placed on 96th Street allowing only right-in-right outs. Not sure!

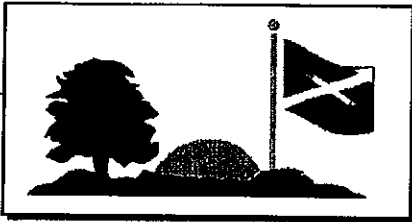
(Hillsdale) Milligan – 1) Approved with conditions: 1) add exhibits showing 2 path alternatives; 2) add specific language about tree preservation area; and 3) need clean draft of ordinance for signatures.

I1 Amendment – suspended rules and had 2nd/3rd reading.

Hickory Woods row vacation – had 1st reading – no comments

Joe Y. James, AICP
Town of Fishers
Department of Development
(317)595-3484
(317)595-3134 fax
email: jamesj@fishers.in.us

↓
Jon said he
is working w/
Doug Church to
get this.
(5-10-05)
TLM



TOWN OF FISHERS
DEPARTMENT OF DEVELOPMENT
 One Municipal Drive • Fishers, Indiana 46038
 317-595-3120 • Fax: 317-595-3134

**CERTIFICATE OF DETAILED
 DEVELOPMENT PLAN**

Application 7-09-05

INSTRUCTIONS:

- (1) Complete every section of this application.
- (2) Submit 5 sets of plans for Technical Advisory Committee.
- (3) Each subdivision to be platted shall have its own application.

05050004

1. APPLICANT INFORMATION

Company Name: M/I Homes of Indiana
 Address: 8500 Keystone Crossing, Suite 190
 Indianapolis, IN 46204
 Phone: 317-255-9900
 Email: ckallio@mihomes.com
 Fax: 317-205-9440
 Contact Person: Ms. Christle Kallio

**3. SURVEYOR/ENGINEER
 RESPONSIBLE FOR PREPARATION
 OF PLAT**

Company Name: EMH&T, Inc.
 Address: 6994 Hillsdale Ct.
 Indianapolis, IN 46250
 Phone: 317-913-6930
 Email: 317-913-6928
 Fax: 317-913-6928
 Contact Person: Mr. Darren Pittman

2. SUBDIVISION INFORMATION

- a. Name: Hillsdale
- b. Location Description: 1/8 mile south of the intersection of Olio Road and 104th Street
 County: Hamilton Township 17N
 Section: 12 Range: 5E
 Parcel ID #13 15 12 00 00 001.001
- c. Size:
 Area (acres): 19.03
 Number of Lots: 34
 Miles of Streets: 0.42
- d. Current Zoning: PUD-R
- e. Proposed Land Use: Single-Family Homes
- f. Approximate Value of Structures to be Built (including lot): Average of \$400,000

* Please make sure all Parcel ID numbers are listed

4. CERTIFICATION

I hereby certify that I have the authority to make the above application, that the application is correct, and that any construction, reconstruction, enlargement, relocation, or alterations of structures, or in any changes of use of land or structures requested by this application will comply and conform to all applicable laws of the State of Indiana and Ordinances of the Town of Fishers adopted under the authority of Public Law 178, Acts of 1979, General Assembly, State of Indiana.

I further certify that the construction will not be used until proper certificates of completion and compliance are filed with the Department of Development, Fishers, Indiana.

Christle Kallio

Signature of Owner/Authorized Agent

**FOR OFFICE USE ONLY
 - DO NOT WRITE IN THIS SPACE -**

	Yes	No
Fees Paid	<input type="checkbox"/>	<input type="checkbox"/>
TAC Review	<input type="checkbox"/>	<input type="checkbox"/>
Plan Commission Review	<input type="checkbox"/>	<input type="checkbox"/>



Letter of Transmittal

To: Mr. Joe James, Planner I
 Town of Fishers Department of Development
 1 Municipal Drive
 Fishers, IN 46038

From: Mr. Darren Pittman
Date: April 29, 2005
Job No.: 2004-1966
Re: Hillsdale PUD

We are sending you herewith via: Courier U.S. Mail Fed. Ex. UPS

The following items: copies originals [other]

Copies	Date	Number of sheets	Description
1			Certificate of Detailed Development Plan Application
1			Application Fee
5	4-29-05	4	Detailed Development Plans
1 CD			PDF and DWG files of Detailed Development Plans
1			TAC Transmittal Forms
1	4-29-05		Preliminary Drainage Report

These are transmitted as checked below:

for approval for your file as requested for review & comment
 for execution / signatures [other]

Remarks:

Mr. James:

We are hereby requesting that the Detailed Development Plan Application for Hillsdale be included on the agenda for the May 26, 2005 meeting of the Technical Advisory Committee. If you have any questions regarding our application, please contact me at the number above. Review comments can be sent to my attention at the fax number or address above.

Thank you.

Copies To: Ms. Christie Kallio, MI Homes
 EMH&T, Inc.

Signed: 
 Darren Pittman, PE
 Project Manager

If enclosures are not as noted, kindly notify us at once.

Town of Fishers



24 May 2005

Fax: 913-6928

Mr. Darren Pittman
EMH&T
6994 Hillsdale Court
Indianapolis, Indiana 46250

Re: Public Works/Engineering Comments for Hillsdale (7-DP-05)

Dear Mr. Pittman:

The engineering and public works staff have reviewed the above mentioned plans and have the following comments:

General:

1. Any revisions to these plans shall be detailed and dated in a revision block.
2. Digital information is required to be submitted before construction plans can be released. Please provide a copy of the base drawing (as 1 drawing with no xref's) in a .dwg format tied to the proper state plane coordinates, and the application in a .pdf format.

Plat:

3. The plat shall show the proposed Right-of-Way width.
4. All existing and proposed easements are to be shown and labeled.
5. Per Ordinance 153.33 (N)(19), the following restrictive covenants shall be added to the final plat:

"No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 3 and 12 feet above the street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 40 feet from the intersection of said street lines or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.

The same sight line limitations shall apply to any lot within ten feet of the intersection of a street right-of-way line with the edge of the

One Municipal Drive Fishers, IN 46038
Office (317) 595-3111 Fax (317) 595-3110
www.fishers.in.us

driveway pavement or alley line. No driveway shall be located within 75 feet of the intersection of two street lines."

Street:

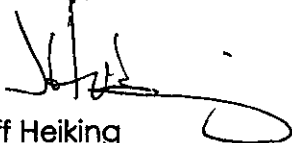
6. The eyebrows are to be reduced in size and the islands removed.
7. Please provide a letter of approval from the Hamilton County Highway Department with regard to the 2 curb cuts onto Olio Road.
8. Per Ordinance 153.33 (N)(22)(b), the minimum radii of center curvature for streets shall be 150 feet on local streets, marginal access streets and cul-de-sacs, 100 feet on streets shorter than 500 feet.
9. Provide the distance from the centerline of the proposed entrance road to the centerline of Springstone Road (with which 104th Street is planned to realign).

Storm Water:

10. Comment on the statement in the drainage report that some of the basins where not included in the comparison of pre-developed and post-developed conditions. Also comment on the statement that even though the post-developed release rates are higher than the pre-developed rates this is still acceptable.
11. Please label the floodplain and reference the FIRM map that became effective Feb. 19, 2003 – except as noted below.
12. A detailed study was completed by Stoeppelwerth & Associates for this watercourse. As this study constitutes the best available data, these plans shall reflect this information rather than the current FIRM.

Submit a response letter with any revisions. Please contact me at 595-3186 if you have any questions.

Sincerely,



Jeff Heiking
Assistant Town Engineer

cc: Public Works Staff, Development Staff

PROOF OF PUBLICATION

Hamilton County)
SS:
State of Indiana)

Personally appeared L. Coomer who being Daily Times, a daily City of Noblesville, newspaper of general

NOTICE OF PUBLIC HEARING
DOCKET NO: 7-DP-05

The Fishers Advisory Plan Commission will hold a public hearing on the 13th day of July, 2005, at the Fishers Town Hall, One Municipal Drive, at 6:30 p.m.

The Application submitted by M/I Homes by Steven D. Hardin, Attorney, requests approval be granted for the detailed development plan for the property at 10190 Olio Road. The Real Estate is more specifically described as follows:

A part of the southwest Quarter of the Northwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Fall Creek Township, Indiana described as follows: Beginning at a Railroad Spike found marking the Southwest corner of the Northwest Quarter of Section 12, Township 17 North, Range 5 East; thence along the west line of said quarter section North 4 degrees 02 minutes 02 seconds East (assumed bearing and basis for this description) for a distance of 50.79 feet to a point; Thence perpendicular to said west line South 85 degrees 57 minutes 58 seconds East for a distance of 20.00 feet to the existing right of way line of Olio Road as recorded in Instrument #200300064308; Thence along said existing right of way of Olio Road for the following four courses, (1) North 20 degrees 07 minutes 18 seconds East for a distance of 244.40 feet; (2) North 09 degrees 19 minutes 19 seconds West for a distance of 130.45 feet; (3) North 1 degree 10 minutes 58 seconds East for a distance of 232.79 feet; (4) North 5 degrees 51 minutes 02 seconds East for a distance of 10.88 feet to a point; Thence North 89 degrees 22 minutes 07 seconds East for a distance of 1254.69 feet through a capped rebar found this survey; thence South 4 degrees 11 minutes 25 seconds West for a distance of 658.21 feet (658.26 feet record) to a Stone found marking the Southeast corner of the West half of the Northwest Quarter of said section 12; thence along the south line of said West half of the Northwest Quarter South 89 degrees 38 minutes 30 seconds West for a distance of 1341.19 feet (1341.56 feet record) to the point of beginning. Containing 19.031 acres more or less, subject to all recorded legal rights of way and easements.

The Plan Commission decision would approve or deny the proposed Detailed Development Plan.

Interested persons may file written suggestions or objections concerning the request with the Fishers Department of Development located at the Fishers Town Hall, One Municipal Drive, Fishers, Indiana, 46038 and/or may contact the department at (317) 595-3120 for assistance. Interested persons will be given the opportunity to be heard by the Fishers Advisory Plan Commission at the above specified time and place.

Steven D. Hardin, Esq.
Bingham McHale LLP
970 Logan Street
Noblesville, IN 46060

and for said county, and state, the undersigned Terry competent age and is Publisher of the Noblesville ive (5) consecutive years has been published in the Indiana, and which, during that time, has been a e paid circulation, printed in the English language and entered, authorized and accepted by the post office department of the United States of America as mailable matter by the second class as defined by the Act of Congress of the United States of March 3, 1879, and that the printed matter attached hereto is a true copy, which was duly published in said newspaper 1 time(s), the dates of publication being as follows:

6/23, 2005

"Pursuant to the provisions and penalties of Chapter 155, Acts 1953, he further says that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

Terry L. Coomer
AFFIANT

Subscribed and sworn to before me this

23 day of June, 2005.

Dianna Phillips
Notary Public

(Seal.)

My commission expires 8-22-2011

Dianna Phillips
Resident of
Hamilton County

Publisher's Fee, \$ 103.68

State of Indiana SS:
Hamilton County

Personally appeared before me, a notary public in and for said county and state,
the undersigned **Karen Mullins** who, being duly sworn, says that SHE is clerk
of the Noblesville Ledger a newspaper of general circulation
printed and published in the English language in the city of NOBLESVILLE in state
and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 1 time(s), between the dates of:

06/24/2005 and 06/24/2005

Karen Mullins Clerk
Title

Subscribed and sworn to before me on 06/24/2005

Kimberly R. Hacker Notary Public

KIMBERLY R. HACKER
Notary Public, State of Indiana
County of Morgan

My commission expires: _____
My Commission Expires May 13, 2010

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DOCKET NO: 7-DP-05
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Steven D. Hardin, Esq.
Bingham McHale LLP
970 Logan Street
Noblesville, IN 46060
(317) 776-8650
shardin@binghammchale.com
Town of Fishers website address: www.fishers.in.us
(INL 6/24/05 - 3865088)

Form 65-1

TOWN OF FISHERS

RECEIPT NUMBER: 13000000136

RECEIVED BY: RHIANA
TODAY'S DATE: 05/04/05
TIME: *****

PAYOR: M/I HOMES OF INDIAN
REGISTER DATE: 05/04/05

DESCRIPTION	REFERENCE	AMOUNT
ZDDPSF04	05050004	\$1,600.00
TOTAL DUE:		\$1,600.00

CASH PAID	CHECK PAID	CHECK NO	TENDERED	CHANGE
\$.00	\$1,600.00	13009	\$1,600.00	\$.00

PRESCRIBED BY STATE BOARD OF ACCOUNTS

RECEIPT

OFFICE OF THE CLERK - TREASURER

No. 102141

General
FUND

FISHERS IN. May 4, 2005

RECEIVED FROM M/I Homes of Indiana \$1,600.00

THE SUM OF One Thousand Six Hundred and ⁰⁰/₁₀₀ DOLLARS

ON ACCOUNT OF 7-DP-04 05050004

CASH _____ CHECK 13009 M.O. _____

Rhiana Tipton
CLERK - TREASURER

E.F.T. _____ C.C/B.C. _____ OTHER _____