

ORDINANCE NO. 081522A

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Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented



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ORDINANCE NO. 081522A

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 5.27 +/- ACRES FROM PUD-M TO PUD-R FOR A PROJECT KNOWN AS MARKETPLACE TOWNS PUD DISTRICT.

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

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-22-3 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its October 5, 2022 meeting sent a favorable recommendation to the Common Council by a vote of six (6) in favor and zero (0) opposed.

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

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

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

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

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this 10th day of October , 2022.

ORDINANCE NO. _____

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

081522A

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

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 10th day of October, 2022, at 8:35 p.m.

ATTEST:
Jennifer L. Kehl, City Clerk



Scott A. Fadness, Mayor

MAYOR'S APPROVAL

October 10, 2022

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Steven D. Hardin, Esq., Partner, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96th Street, Suite 600, Indianapolis, Indiana, 46240

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." - Mark R. Leach

ORDINANCE NO. 081522A

Exhibit A – Real Estate Description and Depiction

PART OF BLOCK A-1 OF THE SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE, PER PLAT THEREOF, RECORDED AS INSTRUMENT NUMBER 2017041460, IN PLAT CABINET 5, SLIDE 717, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



 REAL ESTATE

2022

Exhibit B – Marketplace Towns PUD



Planning & Zoning Department
City of Fishers
Ordinance: 081522A



ORDINANCE NO. 081522A

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

1. Declaration

- a. Ordinance No. 081522A (this "Ordinance")
- b. Adopted: October 10, 2022

2. Purpose and Intent

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

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

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

3. Applicability

The standards of the UDO applicable to the *M2 Multi-Family Residential District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *M2 Multi-Family Residential District* shall be permitted.

B. Concept Plan

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

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C. Standards for the District

1. Introductory Provisions

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

2. Administration

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

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance.

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

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

- (1) *Sec. 3.2.9. M2 Multi-Family Residential District:* Shall not apply. Instead, the following shall apply to the Real Estate:

Development Standards

1. Minimum Lot Dimensions	
1a. Lot area – 1-bedroom / 2-bedroom / 3-bedroom	2,000 sf./unit ¹
1b. Lot width at building line – standard	20'
1c. Lot width at building line – corner	20'
1d. Lot frontage – on public street with access from	n/a ¹
2. Minimum Building Setbacks	
2a. Site perimeter ²	20' ³
2b. Front – Internal	5' ⁴
2c. Side – Internal (interior units)	0'
2d. Side – Internal (end units)	5'
2e. Rear – Internal	15'
2f. Building separation (min)	10'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area (min) – 1-bedroom / 2-bedroom / 3-bedroom	850 / 1,100 / 1,300 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	75%
Notes:	
1. Refers to site, rather than individual lots for individual units.	
2. Measured from current property line.	
3. Additional buffer yard requirements may apply. Buffer yards may be provided within, and not in addition to, the required setback.	
4. Also applies to Bent Grass Lane, if that becomes a public road in the future.	

c. Article 3.3. Nonresidential Districts: Shall not apply.

d. Article 3.4. Other Districts: Shall apply.

4. Overlay Zoning Districts

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

5. Use Regulations

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

6. Development Standards

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

- a. **Article 6.1. General Provisions:** Shall apply.
- b. **Article 6.2. Accessory Structure Standards:** Shall apply, except as modified below:
 - (1) *Sec. 6.2.2.A Residential Accessory Structures; Maximum Floor Area:* Shall not apply.
 - (2) *Sec. 6.2.2.C Residential Accessory Structures; Placement:* Shall apply, except C.1 and C.3 shall not apply.
 - (3) *Sec. 6.2.6.D.1 Mechanical & Utility Equipment; Screening; Ground-mounted:* Shall apply, except that ground-mounted mechanicals may be placed in the private backyard of each residential dwelling unit or may be placed on the side or rear of each townhome without the use of screening.
- c. **Article 6.3. Architectural Design Standards:** Shall not apply; instead, the following shall apply:
 - (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.
 - (2) The siding color on the rears of the buildings shall be varied.
- d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. **Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. **Article 6.6. Height Standards:** Shall apply.
- g. **Article 6.7. Landscaping Standards:** Shall apply, except as modified below:
 - (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. Non-native species may be installed with prior approval by City staff.
 - (2) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plant material may be of one species.
 - (3) *Sec. 6.7.5.B Lot & Foundation Plantings; Foundation Planting:* Shall not apply. Instead, the following shall apply:
 - (i) The foundation plantings shall be located within 20 feet of the foundation wall.
 - (ii) All lots shall have six (6) shrubs per frontage, including corner lot frontage.
 - (iii) The foundation planting requirement shall apply to the primary structure only.
- h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.
- i. **Article 6.9. Non-Residential Open Space:** Shall apply.
- j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.
- k. **Article 6.11. Parking & Loading Standards:** Shall apply.
- l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply.
- m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.
- n. **Article 6.14. Property Identification Standards:** Shall apply.
- o. **Article 6.15. Public Art Standards:** Shall apply.
- p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.
- q. **Article 6.17. Signage Standards:** Shall apply.

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

7. Subdivision Regulations

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

8. Subdivision & Planned Unit Development Design Standards

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

- a. **Article 8.1. General Provisions:** Shall apply.
- b. **Article 8.2. Block, Lot & Access Standards:** Shall apply.
- c. **Article 8.3. Street & Alley Standards:** Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards:** Shall apply, except as modified below:
 - (1) Marketplace Towns PUD is part of the overall development of the Fishers Marketplace PUD, Ordinance No. 070506, and all the Open Space, Common Area & Amenity requirements are met through the development of the entire PUD which provides for recreational uses, commercial uses, and residential uses as part of the overall PUD.
 - (2) In addition to the Fishers Marketplace PUD Open Space, Common Area & Amenities, the Marketplace Towns PUD will provide pedestrian connectivity within the Real Estate and the developer will seek approval from the adjacent landowner to develop a pedestrian connection around the detention pond to the south.
 - (3) *Sec. 8.4.6. Open Space:* Shall not apply.
- e. **Article 8.5. Other Design Standards:** Shall apply.

9. Floodplain Standards

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

10. Procedures & Permits

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

11. Enforcement & Penalties

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

12. Definitions

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

13. Sustainability Standards

The following sustainability standards shall apply:

- a. The buildings shall be constructed with all LED lights.
- b. Rain barrels shall be permitted to be connected to the roof downspouts.

(Remainder of page intentionally left blank.)

ORDINANCE NO. 081522A

Exhibit B.1 – Real Estate Description and Depiction

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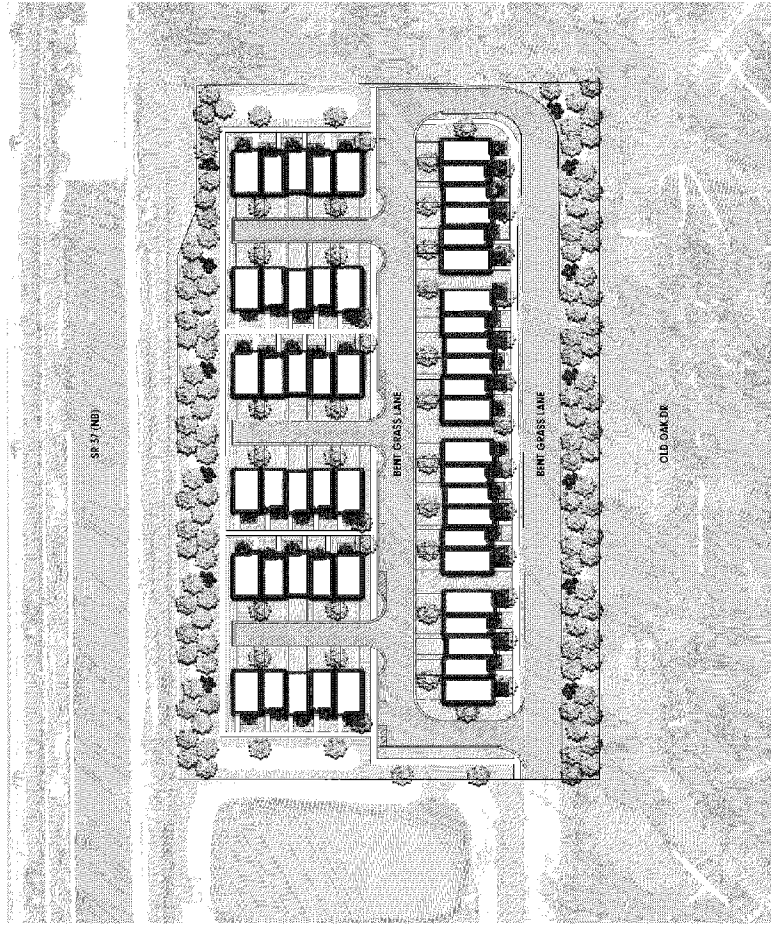
BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



 REAL ESTATE

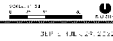
ORDINANCE NO. 081522A

Exhibit B.2 – Concept Plan



MARKETPLACE TOWNS
LAYOUT M
W/PARALLEL PARKING
53 UNITS
FISHERS, INDIANA
SEPTEMBER 29, 2022

MARKETPLACE TOWNS PHASE 1
CONCEPTUAL SITE PLAN
FISHERS, INDIANA



ORDINANCE NO. 081522A

Exhibit B.3 – Illustrative Architectural Exhibit



Marketplace Towns

Planned Unit Development



LENNAR



PRESENTED BY
STEVEN D. HARDIN, ESQ.



City Council Final Reading | October 10, 2022

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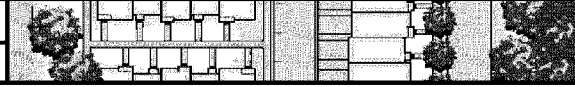


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Developer/Builder:

**Tony Bagato,
Land Entitlement Manager**

**Keith Lash,
Vice President of Land Development**

**Lennar Homes of Indiana, LLC
11555 N. Meridian St., Suite 400
Carmel, IN 46032**

Attorney:

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

**Faegre Drinker Biddle & Reath LLP
600 E. 96th St., Suite 600
Indianapolis, IN 46240**

**Telephone: 317.569.9600
Fax: 317.569.4800**

TAB 1

EXECUTIVE SUMMARY	
MARKETPLACE TOWNS PUD	

Lennar Homes of Indiana, LLC (“Lennar Homes”) is pleased to present their plans for Marketplace Towns, a new 5.27 +/- acre townhome development north of 135th Street, on the east side of State Road 37 in Fishers Marketplace (Please see the Aerial Location Map at Tab 2). Marketplace Towns is a for-sale townhome community that will include traditional architecture and three stories of living area for future residents.

Marketplace Towns is planned in an area of Fishers that is close to a Walmart Neighborhood Market, commercial uses and other residential apartment complexes. By providing a townhome option in this location, Marketplace Towns can serve a wide range of home buyers, including, but not limited to first time home buyers, empty nesters, young families, and single-person households (Please see the Concept Plan at Tab 3).

The Home Collection.

Lennar will feature a new architectural style for the 53 townhomes that will provide three levels of living area. Each townhome will have access to its own two-car garage and walkout courtyard. These townhomes are expected to range between 2,200 and 2,700 square feet, with an expected average of 2,400 square feet. The homes’ sales prices are expected to average \$400,000.

PUD Committee Update

On September 7, 2022, the PUD Committee reviewed and then voted unanimously to recommend approval of the plans with the conditions that the siding color on the rears of the buildings be varied and that the sidewalk be continued to the south.

Plan Commission Update

On October 5, 2022, after conducting the public hearing, the Plan Commission forwarded the request to the City Council with a unanimous favorable recommendation.

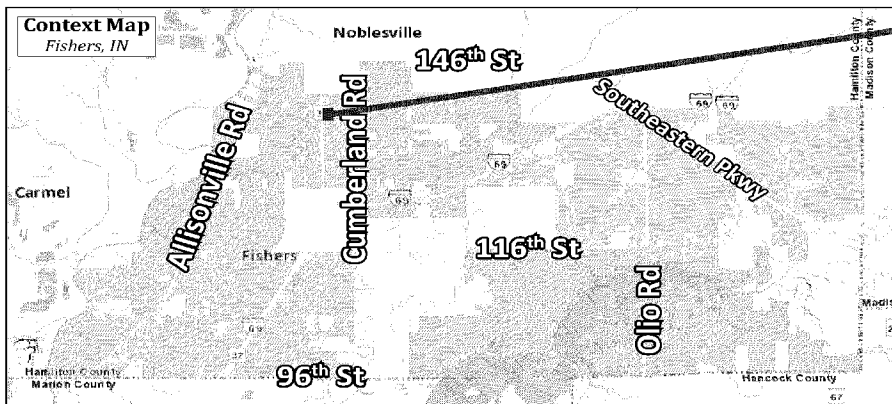
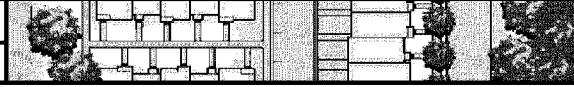
If approved, then site development work is anticipated to begin early next year.

Thank you for your consideration.

TAB 2

AERIAL LOCATION MAP (+/- 5.27 ACRES)

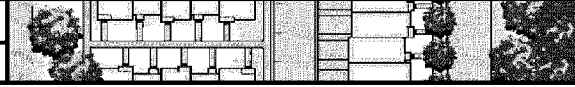
MARKETPLACE TOWNS PUD



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AERIAL LOCATION MAP (+/- 5.27 ACRES)

MARKETPLACE TOWNS PUD

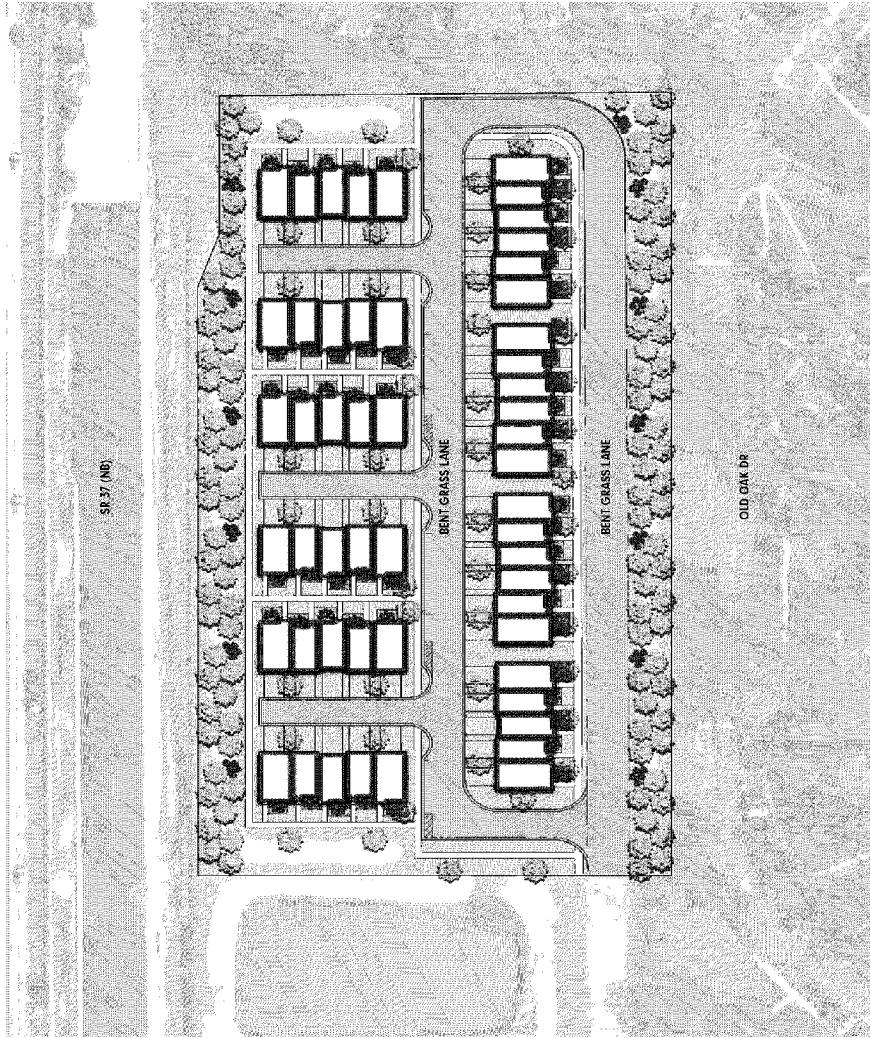


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TAB 3

CONCEPT PLAN

MARKETPLACE TOWNS PUD



MARKETPLACE TOWNS
LAYOUT M
W/ PARALLEL PARKING
33 UNITS
FISHERS, INDIANA
SEPTEMBER 29, 2022

MARKETPLACE TOWNHOMES
CONCEPTUAL SITE PLAN
FISHERS, INDIANA

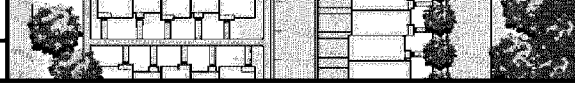
SCALE: 1"=40'
SEPTEMBER 29, 2022



TAB 4

ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



LENNAR

Monon Crossing | Madison



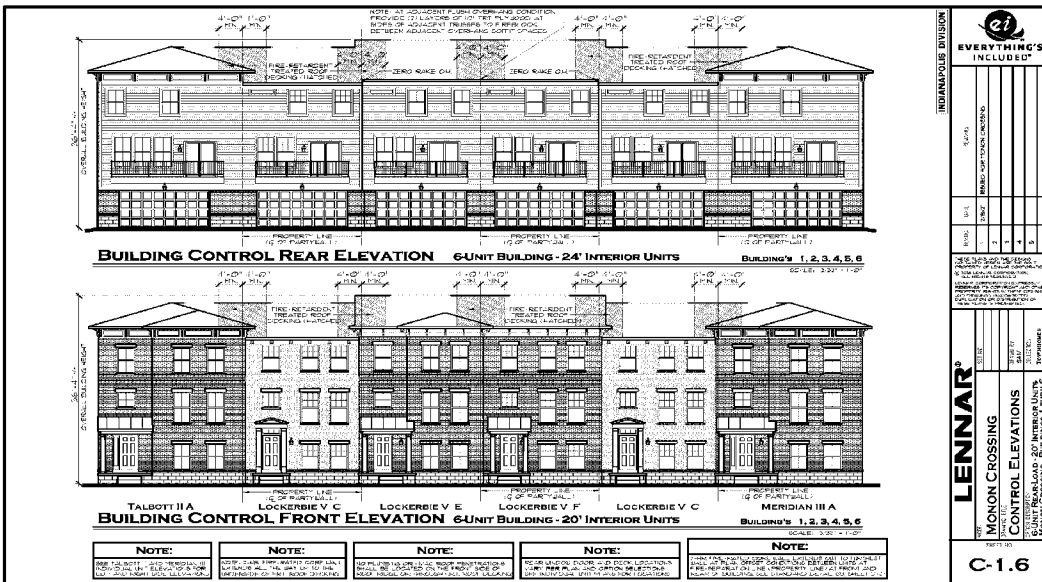
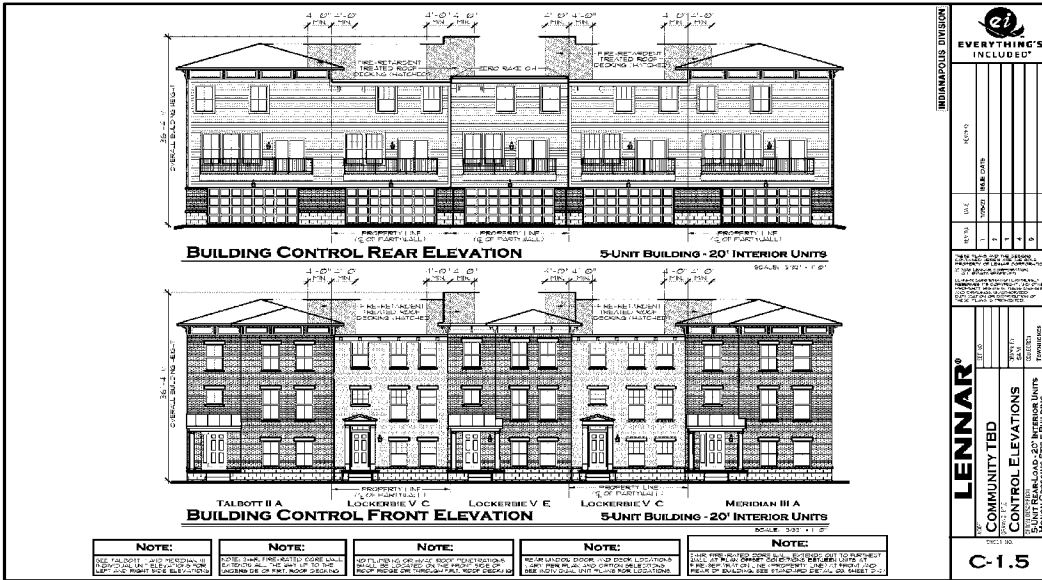
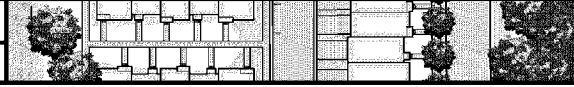
Elevation

LENNAR.COM

* Elevation is an artist rendering and may include optional features, refer to Sellers brochures for exact elevation details.

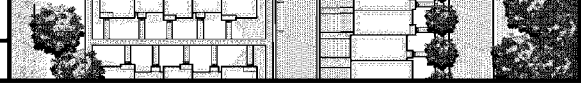
ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



LINTEL SCHEDULE					
SPAN	HEIGHT	TYPE	FINISH	REMARKS	NOTES
12'-0"	8'-0"	1	CONCRETE	SMOOTH	
12'-0"	8'-0"	2	CONCRETE	SMOOTH	
12'-0"	8'-0"	3	CONCRETE	SMOOTH	
12'-0"	8'-0"	4	CONCRETE	SMOOTH	
12'-0"	8'-0"	5	CONCRETE	SMOOTH	

EXTERIOR TRIM KEY

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NOTE:

1. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

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30. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

TYPICAL FRIEZE PANEL DETAIL

SCALE: 3/4" = 1'-0"

REAR ELEVATION BRICK REAR

SCALE: 1/8" = 1'-0"

LEFT ELEVATION STANDARD FULL BRICK SIDE

SCALE: 1/8" = 1'-0"

LENNAR

TALBOT III A

LEFT / REAR ELEVATIONS

STANDARD FULL BRICK SIDE

A1.2A

LINTEL SCHEDULE					
SPAN	HEIGHT	TYPE	FINISH	REMARKS	NOTES
12'-0"	8'-0"	1	CONCRETE	SMOOTH	
12'-0"	8'-0"	2	CONCRETE	SMOOTH	
12'-0"	8'-0"	3	CONCRETE	SMOOTH	
12'-0"	8'-0"	4	CONCRETE	SMOOTH	
12'-0"	8'-0"	5	CONCRETE	SMOOTH	

EXTERIOR TRIM KEY

① 1:4 ② 1:4 ③ 1:4

④ 1:4 ⑤ 1:4 ⑥ 1:4

⑦ 1:4 ⑧ 1:4 ⑨ 1:4

⑩ 1:4 ⑪ 1:4 ⑫ 1:4

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NOTE:

1. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

2. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

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30. ALL FINISHES SHALL BE AS SHOWN UNLESS OTHERWISE NOTED.

TYPICAL FRIEZE PANEL DETAIL

SCALE: 3/4" = 1'-0"

REAR ELEVATION

SCALE: 1/8" = 1'-0"

RIGHT ELEVATION STANDARD FULL BRICK SIDE

SCALE: 1/8" = 1'-0"

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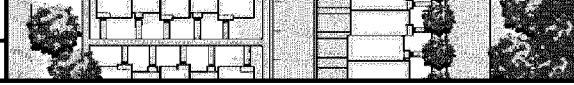
LEFT / REAR ELEVATIONS

STANDARD BRICK FRONT / SIDE / REAR

A1.1A

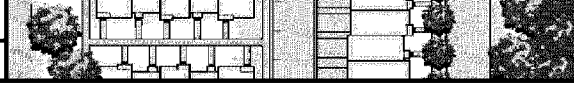
ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



ILLUSTRATIVE ARCHITECTURAL EXHIBIT

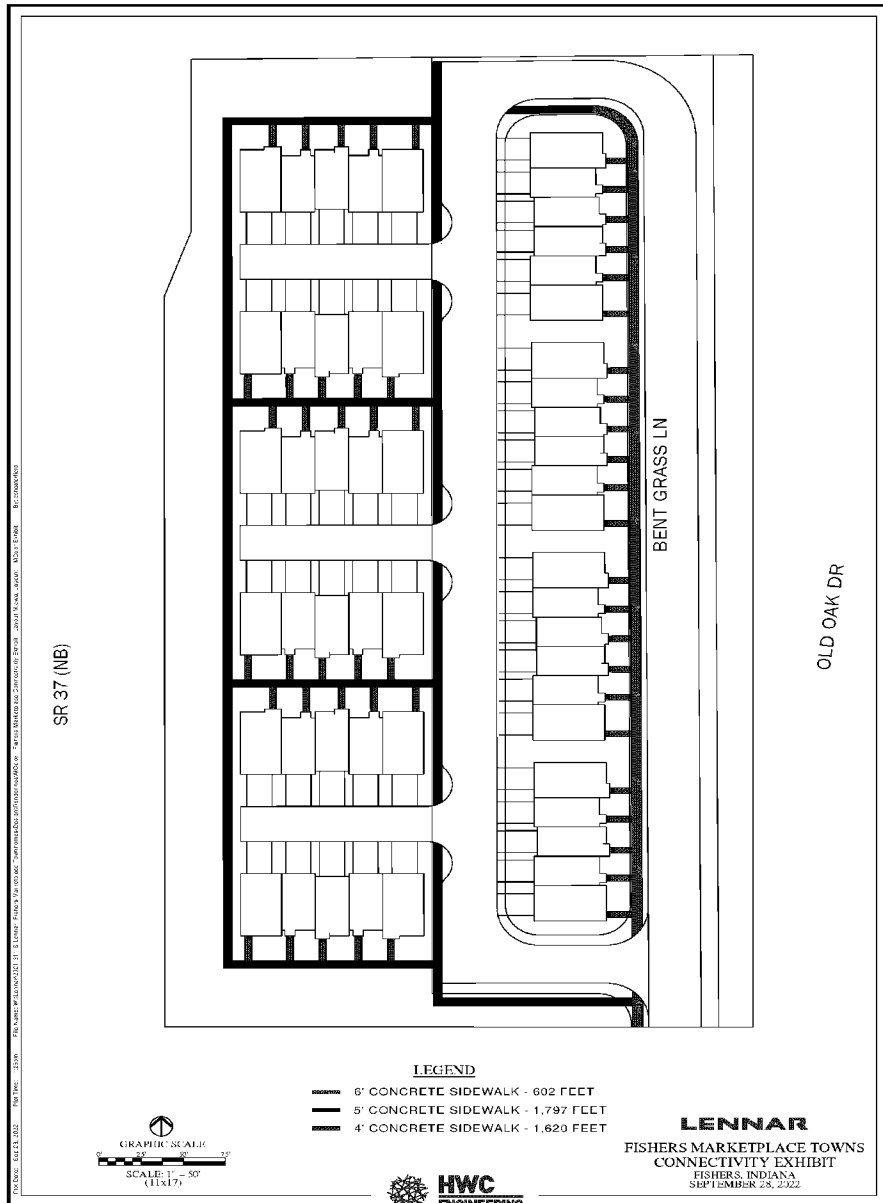
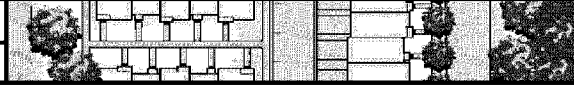
MARKETPLACE TOWNS PUD



TAB 5

PEDESTRIAN CONNECTIVITY EXHIBIT

MARKETPLACE TOWNS PUD



PROJECT: MARKETPLACE TOWNS PUD - PHASE 1 - SITE PLAN - 2022 - 09 - 23

SR 37 (NB)

BENT GRASS LN

OLD OAK DR

LEGEND

- 6" CONCRETE SIDEWALK - 602 FEET
- 5" CONCRETE SIDEWALK - 1,797 FEET
- 4" CONCRETE SIDEWALK - 1,620 FEET



LENNAR
FISHERS MARKETPLACE TOWNS
CONNECTIVITY EXHIBIT
FISHERS, INDIANA
SEPTEMBER 23, 2022

ORDINANCE NO. 081522A

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 5.27 +/- ACRES FROM PUD-M TO PUD-R FOR A PROJECT KNOWN AS MARKETPLACE TOWNS PUD DISTRICT.

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

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-22-3 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its October 5, 2022 meeting sent a favorable recommendation to the Common Council by a vote of six (6) in favor and zero (0) opposed.

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

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

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

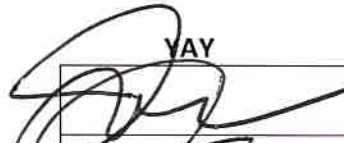





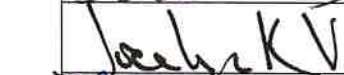
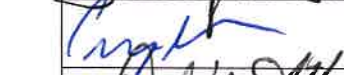
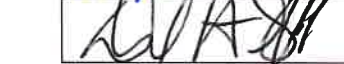
SECTION 3. The specific zoning standards, concept plan, and illustrative architectural exhibit shall be approved as shown in **Exhibit B** (“Petitioner’s Packet”), attached.

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this 10th day of October , 2022.

ORDINANCE NO. _____

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

081522A

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

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 10th day of October 2022, at 8:35 p.m.

ATTEST: 
Jennifer L. Kehl, City Clerk




Scott A. Fadness, Mayor

MAYOR'S APPROVAL

October 10, 2022
DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Steven D. Hardin, Esq., Partner, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96th Street, Suite 600, Indianapolis, Indiana, 46240

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." - Mark R. Leach

Exhibit A – Real Estate Description and Depiction

PART OF BLOCK A-1 OF THE SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE, PER PLAT THEREOF, RECORDED AS INSTRUMENT NUMBER 2017041460, IN PLAT CABINET 5, SLIDE 717, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



2022

Exhibit B – Marketplace Towns PUD



Planning & Zoning Department

City of Fishers

Ordinance: 081522A



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

1. Declaration

- a. Ordinance No. 081522A (this "Ordinance")
- b. Adopted: October 10, 2022

2. Purpose and Intent

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

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

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

3. Applicability

The standards of the UDO applicable to the *M2 Multi-Family Residential District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *M2 Multi-Family Residential District* shall be permitted.

B. Concept Plan

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

C. Standards for the District

1. Introductory Provisions

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

2. Administration

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

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance.

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

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

- (1) *Sec. 3.2.9. M2 Multi-Family Residential District:* Shall not apply. Instead, the following shall apply to the Real Estate:

Development Standards

1. Minimum Lot Dimensions	
1a. Lot area – 1-bedroom / 2-bedroom / 3-bedroom	2,000 sf./unit ¹
1b. Lot width at building line – standard	20'
1c. Lot width at building line – corner	20'
1d. Lot frontage – on public street with access from	n/a ¹
2. Minimum Building Setbacks	
2a. Site perimeter ²	20' ³
2b. Front – Internal	5' ⁴
2c. Side – Internal (interior units)	0'
2d. Side – Internal (end units)	5'
2e. Rear – Internal	15'
2f. Building separation (min)	10'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area (min) – 1-bedroom / 2-bedroom / 3-bedroom	850 / 1,100 / 1,300 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	75%
Notes:	
1. Refers to site, rather than individual lots for individual units.	
2. Measured from current property line.	
3. Additional buffer yard requirements may apply. Buffer yards may be provided within, and not in addition to, the required setback.	
4. Also applies to Bent Grass Lane, if that becomes a public road in the future.	

c. Article 3.3. Nonresidential Districts: Shall not apply.

d. Article 3.4. Other Districts: Shall apply.

4. Overlay Zoning Districts

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

5. Use Regulations

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

6. Development Standards

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

- a. **Article 6.1. General Provisions:** Shall apply.
- b. **Article 6.2. Accessory Structure Standards:** Shall apply, except as modified below:
 - (1) *Sec. 6.2.2.A Residential Accessory Structures; Maximum Floor Area:* Shall not apply.
 - (2) *Sec. 6.2.2.C Residential Accessory Structures; Placement:* Shall apply, except C.1 and C.3 shall not apply.
 - (3) *Sec. 6.2.6.D.1 Mechanical & Utility Equipment; Screening; Ground-mounted:* Shall apply, except that ground-mounted mechanicals may be placed in the private backyard of each residential dwelling unit or may be placed on the side or rear of each townhome without the use of screening.
- c. **Article 6.3. Architectural Design Standards:** Shall not apply; instead, the following shall apply:
 - (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.
 - (2) The siding color on the rears of the buildings shall be varied.
- d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. **Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. **Article 6.6. Height Standards:** Shall apply.
- g. **Article 6.7. Landscaping Standards:** Shall apply, except as modified below:
 - (1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. Non-native species may be installed with prior approval by City staff.
 - (2) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plant material may be of one species.
 - (3) *Sec. 6.7.5.B Lot & Foundation Plantings; Foundation Planting:* Shall not apply. Instead, the following shall apply:
 - (i) The foundation plantings shall be located within 20 feet of the foundation wall.
 - (ii) All lots shall have six (6) shrubs per frontage, including corner lot frontage.
 - (iii) The foundation planting requirement shall apply to the primary structure only.
- h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.
- i. **Article 6.9. Non-Residential Open Space:** Shall apply.
- j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.
- k. **Article 6.11. Parking & Loading Standards:** Shall apply.
- l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply.
- m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.
- n. **Article 6.14. Property Identification Standards:** Shall apply.
- o. **Article 6.15. Public Art Standards:** Shall apply.
- p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.
- q. **Article 6.17. Signage Standards:** Shall apply.

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

7. Subdivision Regulations

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

8. Subdivision & Planned Unit Development Design Standards

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

- a. **Article 8.1. General Provisions:** Shall apply.
- b. **Article 8.2. Block, Lot & Access Standards:** Shall apply.
- c. **Article 8.3. Street & Alley Standards:** Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards:** Shall apply, except as modified below:
 - (1) Marketplace Towns PUD is part of the overall development of the Fishers Marketplace PUD, Ordinance No. 070506, and all the Open Space, Common Area & Amenity requirements are met through the development of the entire PUD which provides for recreational uses, commercial uses, and residential uses as part of the overall PUD.
 - (2) In addition to the Fishers Marketplace PUD Open Space, Common Area & Amenities, the Marketplace Towns PUD will provide pedestrian connectivity within the Real Estate and the developer will seek approval from the adjacent landowner to develop a pedestrian connection around the detention pond to the south.
 - (3) *Sec. 8.4.6. Open Space:* Shall not apply.
- e. **Article 8.5. Other Design Standards:** Shall apply.

9. Floodplain Standards

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

10. Procedures & Permits

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

11. Enforcement & Penalties

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

12. Definitions

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

13. Sustainability Standards

The following sustainability standards shall apply:

- a. The buildings shall be constructed with all LED lights.
- b. Rain barrels shall be permitted to be connected to the roof downspouts.

(Remainder of page intentionally left blank.)

Exhibit B.1 – Real Estate Description and Depiction

PART OF BLOCK A-1 OF THE SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE, PER PLAT THEREOF, RECORDED AS INSTRUMENT NUMBER 2017041460, IN PLAT CABINET 5, SLIDE 717, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



Exhibit B.2 – Concept Plan



MARKETPLACE TOWNS
LAYOUT M
W/PARALLEL PARKING
53 UNITS
FISHERS, INDIANA
SEPTEMBER 29, 2022

Exhibit B.3 – Illustrative Architectural Exhibit



Marketplace Towns

Planned Unit Development



LENNAR[®]



PRESENTED BY
STEVEN D. HARDIN, ESQ.

faegre
drinker

City Council Final Reading | October 10, 2022

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MARKETPLACE TOWNS PUD



TABLE OF CONTENTS

Developer/Builder:

**Tony Bagato,
Land Entitlement Manager**

**Keith Lash,
Vice President of Land Development**

**Lennar Homes of Indiana, LLC
11555 N. Meridian St., Suite 400
Carmel, IN 46032**

Attorney:

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

**Faegre Drinker Biddle & Reath LLP
600 E. 96th St., Suite 600
Indianapolis, IN 46240**

**Telephone: 317.569.9600
Fax: 317.569.4800**

Tab 1

Executive Summary

Tab 2

Aerial Location Map

Tab 3

Concept Plan

Tab 4

Illustrative Architectural Exhibit

Tab 5

Pedestrian Connectivity Exhibit

Tab 6

Proposed PUD Ordinance

TAB 1

EXECUTIVE SUMMARY

MARKETPLACE TOWNS PUD



Lennar Homes of Indiana, LLC (“Lennar Homes”) is pleased to present their plans for Marketplace Towns, a new 5.27 +/- acre townhome development north of 135th Street, on the east side of State Road 37 in Fishers Marketplace (Please see the Aerial Location Map at Tab 2). Marketplace Towns is a for-sale townhome community that will include traditional architecture and three stories of living area for future residents.

Marketplace Towns is planned in an area of Fishers that is close to a Walmart Neighborhood Market, commercial uses and other residential apartment complexes. By providing a townhome option in this location, Marketplace Towns can serve a wide range of home buyers, including, but not limited to first time home buyers, empty nesters, young families, and single-person households (Please see the Concept Plan at Tab 3).

The Home Collection.

Lennar will feature a new architectural style for the 53 townhomes that will provide three levels of living area. Each townhome will have access to its own two-car garage and walkout courtyard. These townhomes are expected to range between 2,200 and 2,700 square feet, with an expected average of 2,400 square feet. The homes’ sales prices are expected to average \$400,000.

PUD Committee Update

On September 7, 2022, the PUD Committee reviewed and then voted unanimously to recommend approval of the plans with the conditions that the siding color on the rears of the buildings be varied and that the sidewalk be continued to the south.

Plan Commission Update

On October 5, 2022, after conducting the public hearing, the Plan Commission forwarded the request to the City Council with a unanimous favorable recommendation.

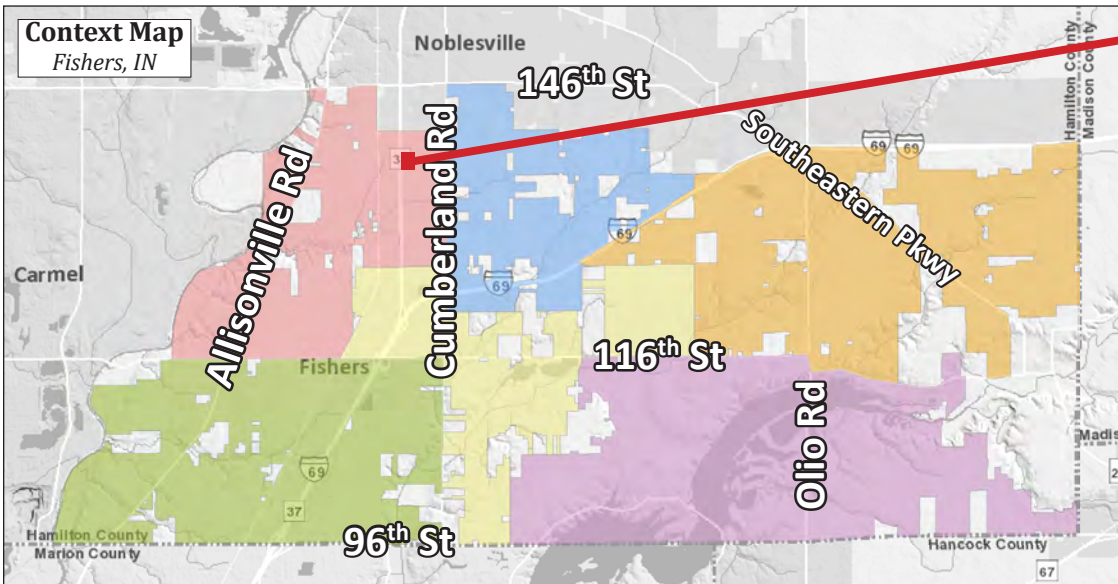
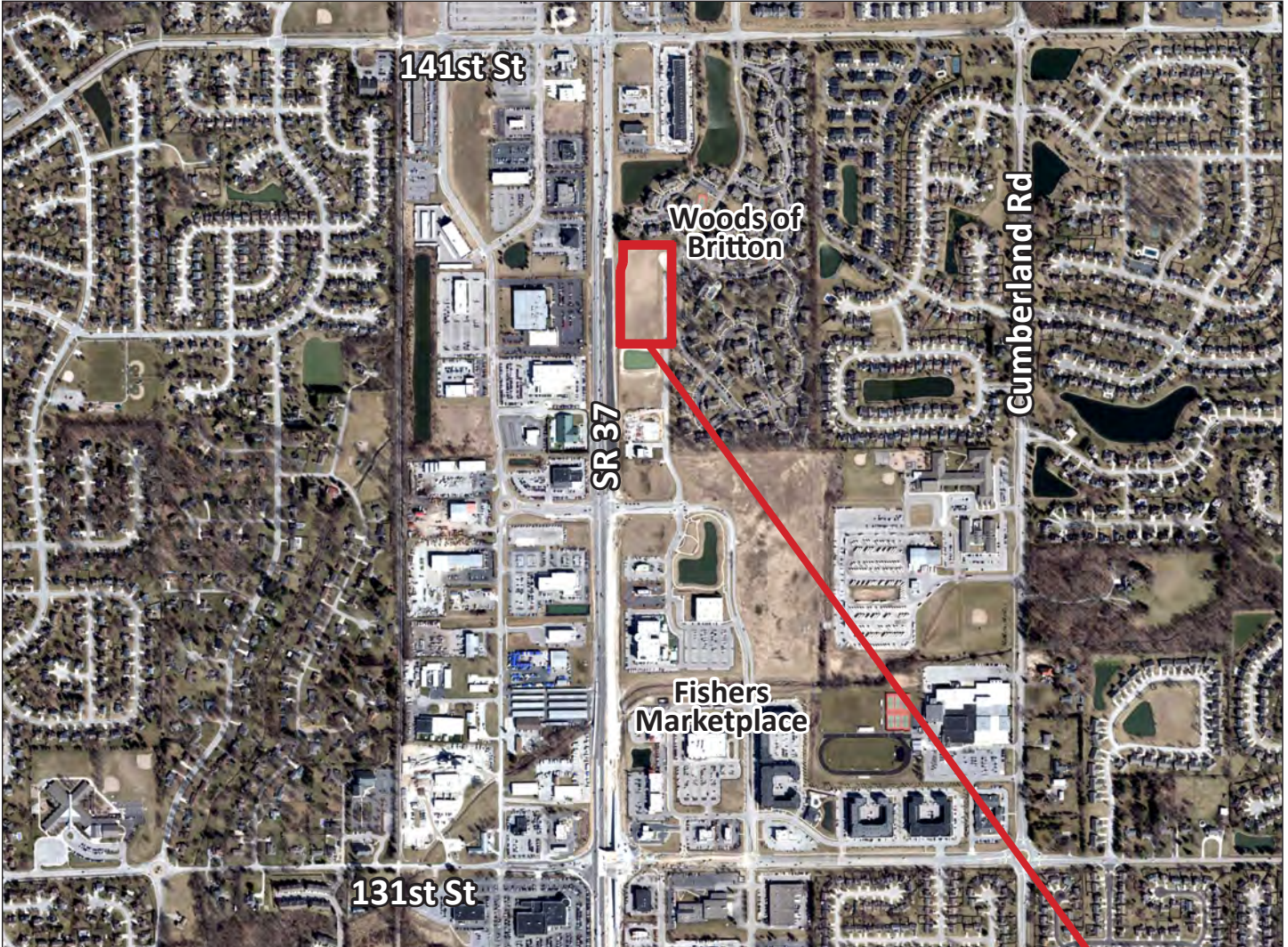
If approved, then site development work is anticipated to begin early next year.

Thank you for your consideration.

TAB 2

AERIAL LOCATION MAP (+/- 5.27 ACRES)

MARKETPLACE TOWNS PUD



REAL ESTATE

AERIAL LOCATION MAP (+/- 5.27 ACRES)

MARKETPLACE TOWNS PUD



REAL ESTATE

TAB 3

CONCEPT PLAN

MARKETPLACE TOWNS PUD



MARKETPLACE TOWNS
LAYOUT M
W/PARALLEL PARKING
53 UNITS
FISHERS, INDIANA
SEPTEMBER 29, 2022

MARKETPLACE TOWNHOMES

CONCEPTUAL SITE PLAN

FISHERS, INDIANA



SEPTEMBER 29, 2022



TAB 4

ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



LENNAR

Monon Crossing | Madison



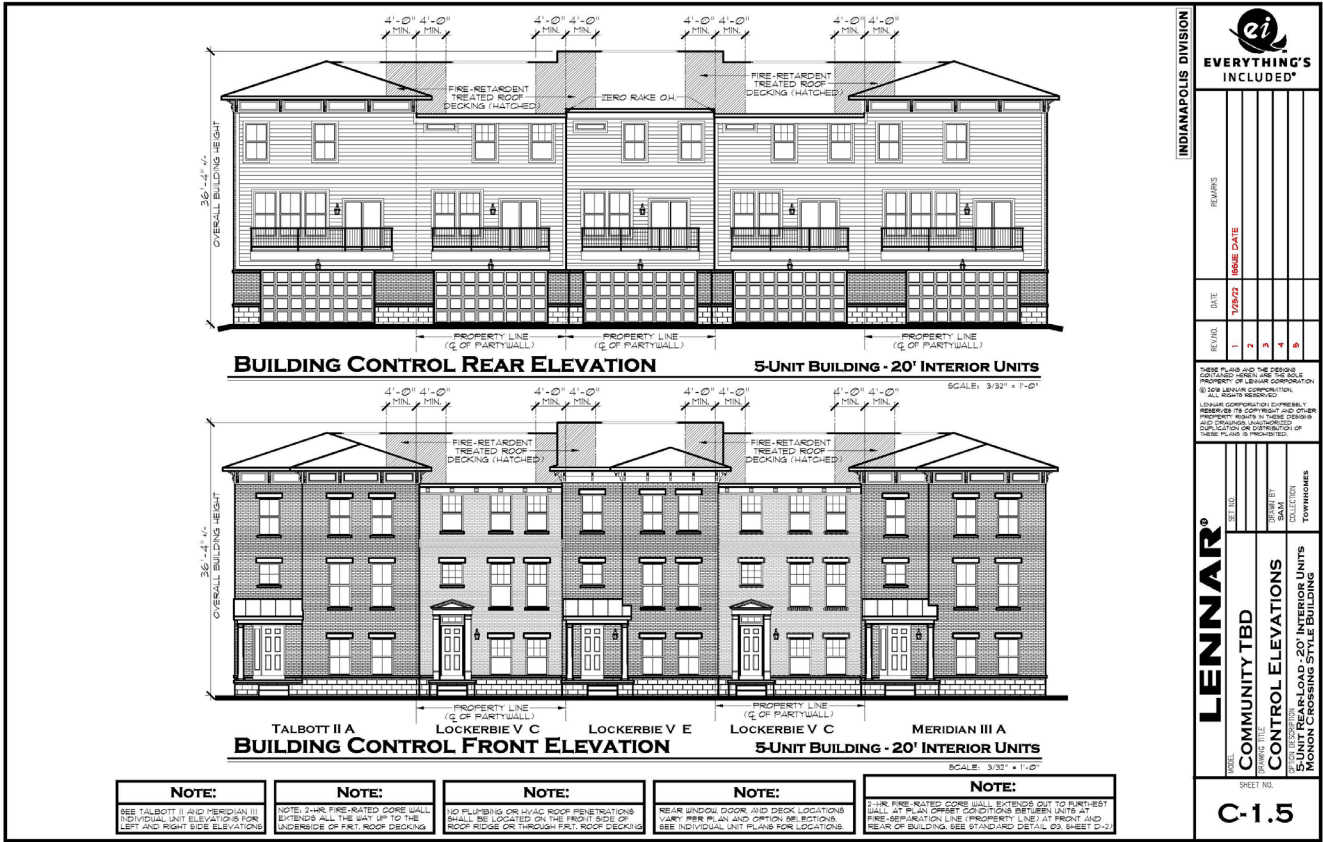
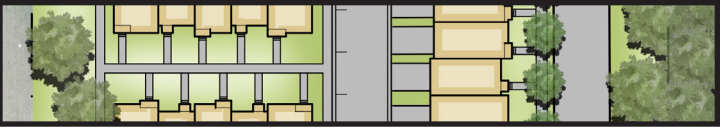
Elevation

LENNAR.COM

* Elevation is an artist rendering and may include optional features, refer to Sellers blueprints for exact elevation details.

ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



INDIANAPOLIS DIVISION

EVERYTHING'S INCLUDED®

REVISIONS

NO.	DATE	BY	REVISIONS
1	10/24/20		
2			
3			
4			
5			

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PROJECT TITLE: **MONON CROSSING CONTROL ELEVATIONS**

NO. OF UNITS: **5 UNITS**

TYPE OF PROJECT: **20' INTERIOR UNITS MONON CROSSING STYLE BUILDING**

COLLECTOR: **LENNAR COMMUNITY TBD**

DATE: **10/24/20**

SCALE: **3/32" = 1'-0"**

SHEET NO. **C-1.5**



INDIANAPOLIS DIVISION

EVERYTHING'S INCLUDED®

REVISIONS

NO.	DATE	BY	REVISIONS
1	2/16/21		
2			
3			
4			
5			

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PROJECT TITLE: **MONON CROSSING CONTROL ELEVATIONS**

NO. OF UNITS: **6 UNITS**

TYPE OF PROJECT: **20' INTERIOR UNITS MONON CROSSING - BUILDINGS 1 THRU 6**

COLLECTOR: **LENNAR COMMUNITY TBD**

DATE: **2/16/21**

SCALE: **3/32" = 1'-0"**

SHEET NO. **C-1.6**

ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



LINTEL SCHEDULE					
MAX. SPAN OF LINTEL	HEIGHT OF BRICK VENEER ABOVE LINTEL				
	8"	16"	24"	32"	GREATER THAN SPAN/2
UP TO 8'-0"	1/2" x 4" x 8"	1/2" x 6" x 12"	1/2" x 8" x 16"	1/2" x 10" x 20"	1/2" x 12" x 24"
UP TO 16'-0"	1/2" x 6" x 12"	1/2" x 8" x 16"	1/2" x 10" x 20"	1/2" x 12" x 24"	1/2" x 14" x 28"

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS OUT TO FURTHER WALL AT PLAN OFFSET CONDITIONS BETWEEN UNITS AT FIRE-SEPARATION LINE (PROPERTY LINE) AT FRONT AND REAR OF BUILDING. (SEE STANDING DETAIL, 03, SHEET D-2)

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS ALL THE WAY UP TO THE INCREASE OF INT. ROOF DECKING

NOTE:
NO PLUMBING OR HVAC ROOF PENETRATIONS SHALL BE LOCATED ON THE FRONT SIDE OF ROOF RIDGE OR THROUGH INT. ROOF DECKING

NOTE:
ADJACENT UNIT(S) VARIES PER BUILDING CONFIGURATION. REFER TO OVERALL BUILDING CONTROL PLANS AND ELEVATIONS.

EXTERIOR TRIM KEY

① 1x4 ② 1x6 ③ 1x10

NOTE: ALL EXTERIOR TRIM TO BE SMOOTH FACE FINISHED, NO ROUGH-SAWN OR TEXTURED MATERIAL TO BE USED FOR EXTERIOR TRIM.
NOTE: ALL PRE-FORMED FILLERS BY FYPON OR EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

REAR ELEVATION BRICK REAR
MONON CROSSING
SCALE: 1/8" = 1'-0"

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS OUT TO FURTHER WALL AT PLAN OFFSET CONDITIONS BETWEEN UNITS AT FIRE-SEPARATION LINE (PROPERTY LINE) AT FRONT AND REAR OF BUILDING. (SEE STANDING DETAIL, 03, SHEET D-2)

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS ALL THE WAY UP TO THE INCREASE OF INT. ROOF DECKING

NOTE:
NO PLUMBING OR HVAC ROOF PENETRATIONS SHALL BE LOCATED ON THE FRONT SIDE OF ROOF RIDGE OR THROUGH INT. ROOF DECKING

NOTE:
ADJACENT UNIT(S) VARIES PER BUILDING CONFIGURATION. REFER TO OVERALL BUILDING CONTROL PLANS AND ELEVATIONS.

EXTERIOR TRIM KEY

① 1x4 ② 1x6 ③ 1x10

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NOTE: ALL PRE-FORMED FILLERS BY FYPON OR EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

TYPICAL FRIEZE PANEL DETAIL
SCALE: 3/4" = 1'-0"

REAR ELEVATION
MONON CROSSING
SCALE: 1/8" = 1'-0"

LEFT ELEVATION
MONON CROSSING
SCALE: 1/8" = 1'-0"

STANDARD FULL BRICK SIDE
SCALE: 1/8" = 1'-0"

LINTEL SCHEDULE					
MAX. SPAN OF LINTEL	HEIGHT OF BRICK VENEER ABOVE LINTEL				
	8"	16"	24"	32"	GREATER THAN SPAN/2
UP TO 8'-0"	1/2" x 4" x 8"	1/2" x 6" x 12"	1/2" x 8" x 16"	1/2" x 10" x 20"	1/2" x 12" x 24"
UP TO 16'-0"	1/2" x 6" x 12"	1/2" x 8" x 16"	1/2" x 10" x 20"	1/2" x 12" x 24"	1/2" x 14" x 28"

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS OUT TO FURTHER WALL AT PLAN OFFSET CONDITIONS BETWEEN UNITS AT FIRE-SEPARATION LINE (PROPERTY LINE) AT FRONT AND REAR OF BUILDING. (SEE STANDING DETAIL, 03, SHEET D-2)

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS ALL THE WAY UP TO THE INCREASE OF INT. ROOF DECKING

NOTE:
NO PLUMBING OR HVAC ROOF PENETRATIONS SHALL BE LOCATED ON THE FRONT SIDE OF ROOF RIDGE OR THROUGH INT. ROOF DECKING

NOTE:
ADJACENT UNIT(S) VARIES PER BUILDING CONFIGURATION. REFER TO OVERALL BUILDING CONTROL PLANS AND ELEVATIONS.

EXTERIOR TRIM KEY

① 1x4 ② 1x6 ③ 1x10

NOTE: ALL EXTERIOR TRIM TO BE SMOOTH FACE FINISHED, NO ROUGH-SAWN OR TEXTURED MATERIAL TO BE USED FOR EXTERIOR TRIM.
NOTE: ALL PRE-FORMED FILLERS BY FYPON OR EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

REAR ELEVATION
MONON CROSSING
SCALE: 1/8" = 1'-0"

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS OUT TO FURTHER WALL AT PLAN OFFSET CONDITIONS BETWEEN UNITS AT FIRE-SEPARATION LINE (PROPERTY LINE) AT FRONT AND REAR OF BUILDING. (SEE STANDING DETAIL, 03, SHEET D-2)

NOTE:
2-HR. FIRE-RATED CORE WALL EXTENDS ALL THE WAY UP TO THE INCREASE OF INT. ROOF DECKING

NOTE:
NO PLUMBING OR HVAC ROOF PENETRATIONS SHALL BE LOCATED ON THE FRONT SIDE OF ROOF RIDGE OR THROUGH INT. ROOF DECKING

NOTE:
ADJACENT UNIT(S) VARIES PER BUILDING CONFIGURATION. REFER TO OVERALL BUILDING CONTROL PLANS AND ELEVATIONS.

EXTERIOR TRIM KEY

① 1x4 ② 1x6 ③ 1x10

NOTE: ALL EXTERIOR TRIM TO BE SMOOTH FACE FINISHED, NO ROUGH-SAWN OR TEXTURED MATERIAL TO BE USED FOR EXTERIOR TRIM.
NOTE: ALL PRE-FORMED FILLERS BY FYPON OR EQUAL AND SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS.

TYPICAL FRIEZE PANEL DETAIL
SCALE: 3/4" = 1'-0"

REAR ELEVATION
MONON CROSSING
SCALE: 1/8" = 1'-0"

RIGHT ELEVATION
MONON CROSSING
SCALE: 1/8" = 1'-0"

STANDARD FULL BRICK SIDE
SCALE: 1/8" = 1'-0"

INDIANAPOLIS DIVISION

EVERYTHING'S INCLUDED

REMARKS:
1. 3/28/08
2. 3/28/08
3. 3/28/08
4. 3/28/08
5. 3/28/08
6. 3/28/08

DATE: 3/28/08

REVISED FOR: BASKERS - HANDBOOKS

REVISIONS: 1. 3/28/08 2. 3/28/08 3. 3/28/08 4. 3/28/08 5. 3/28/08 6. 3/28/08

MODEL: TALKBOT II A

DRAWING TITLE: LEFT / REAR ELEVATIONS

DATE: 3/28/08

BY: [Signature]

CHECKED BY: [Signature]

COLLECTION: STANDARD FULL BRICK SIDE

SHEET NO. A1.2A

INDIANAPOLIS DIVISION

EVERYTHING'S INCLUDED

REMARKS:
1. 3/28/08
2. 3/28/08
3. 3/28/08
4. 3/28/08
5. 3/28/08
6. 3/28/08

DATE: 3/28/08

REVISED FOR: BASKERS - HANDBOOKS

REVISIONS: 1. 3/28/08 2. 3/28/08 3. 3/28/08 4. 3/28/08 5. 3/28/08 6. 3/28/08

MODEL: MERIDIAN III A

DRAWING TITLE: LEFT / REAR ELEVATIONS

DATE: 3/28/08

BY: [Signature]

CHECKED BY: [Signature]

COLLECTION: STANDARD BRICK FRONT / SIDE / REAR

SHEET NO. A1.1A

ILLUSTRATIVE ARCHITECTURAL EXHIBIT

MARKETPLACE TOWNS PUD



ILLUSTRATIVE ARCHITECTURAL EXHIBIT

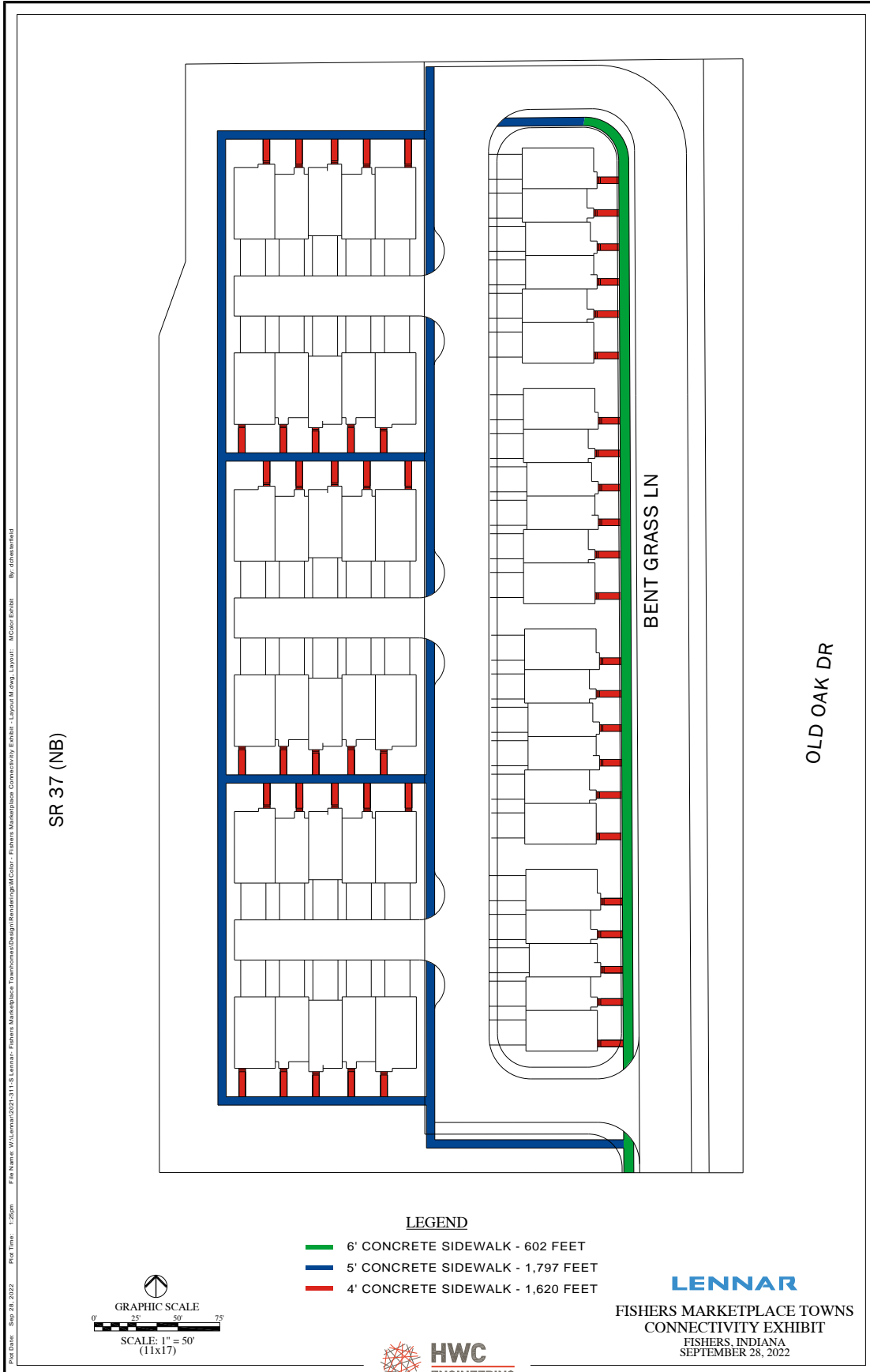
MARKETPLACE TOWNS PUD



TAB 5

PEDESTRIAN CONNECTIVITY EXHIBIT

MARKETPLACE TOWNS PUD



TAB 6

ORDINANCE NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 5.27 +/- ACRES FROM PUD-M TO PUD-R FOR A PROJECT KNOWN AS MARKETPLACE TOWNS PUD DISTRICT.

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

WHEREAS, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-22-3 as required by law in regard to the Rezone; and

WHEREAS, the Plan Commission at its October 5, 2022 meeting sent a _____ recommendation to the Common Council by a vote of ____ () in favor and ____ () opposed.

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

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

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

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

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this ____ day of _____, 2022.

ORDINANCE NO. _____

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

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

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2022, at _____ p.m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Steven D. Hardin, Esq., Partner, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96th Street, Suite 600, Indianapolis, Indiana, 46240

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." - Mark R. Leach

Exhibit A – Real Estate Description and Depiction

PART OF BLOCK A-1 OF THE SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE, PER PLAT THEREOF, RECORDED AS INSTRUMENT NUMBER 2017041460, IN PLAT CABINET 5, SLIDE 717, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



2022

Exhibit B – Marketplace Towns PUD



Planning & Zoning Department

City of Fishers

Ordinance: _____



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

1. Declaration

- a. Ordinance No. _____ (this "Ordinance")
- b. Adopted: _____

2. Purpose and Intent

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

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

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

3. Applicability

The standards of the UDO applicable to the *M2 Multi-Family Residential District* shall apply to the development, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

4. Allowed Uses

All uses permitted in the *M2 Multi-Family Residential District* shall be permitted.

B. Concept Plan

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

C. Standards for the District

1. Introductory Provisions

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

2. Administration

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

3. Zoning Districts

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance.

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

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

- (1) *Sec. 3.2.9. M2 Multi-Family Residential District:* Shall not apply. Instead, the following shall apply to the Real Estate:

Development Standards

1. Minimum Lot Dimensions	
1a. Lot area – 1-bedroom / 2-bedroom / 3-bedroom	2,000 sf./unit ¹
1b. Lot width at building line – standard	20'
1c. Lot width at building line – corner	20'
1d. Lot frontage – on public street with access from	n/a ¹
2. Minimum Building Setbacks	
2a. Site perimeter ²	20' ³
2b. Front – Internal	5' ⁴
2c. Side – Internal (interior units)	0'
2d. Side – Internal (end units)	5'
2e. Rear – Internal	15'
2f. Building separation (min)	10'
3. Maximum Building Height	
3a. Primary structure	35'
4. Building Floor Area	
4a. Living unit area (min) – 1-bedroom / 2-bedroom / 3-bedroom	850 / 1,100 / 1,300 sf
5. Other	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	75%
Notes:	
1. Refers to site, rather than individual lots for individual units.	
2. Measured from current property line.	
3. Additional buffer yard requirements may apply. Buffer yards may be provided within, and not in addition to, the required setback.	
4. Also applies to Bent Grass Lane, if that becomes a public road in the future.	

c. Article 3.3. Nonresidential Districts: Shall not apply.

d. Article 3.4. Other Districts: Shall apply.

4. Overlay Zoning Districts

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

5. Use Regulations

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

6. Development Standards

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

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

b. **Article 6.2. Accessory Structure Standards:** Shall apply, except as modified below:

(1) *Sec. 6.2.2.A Residential Accessory Structures; Maximum Floor Area:* Shall not apply.

(2) *Sec. 6.2.2.C Residential Accessory Structures; Placement:* Shall apply, except C.1 and C.3 shall not apply.

(3) *Sec. 6.2.6.D.1 Mechanical & Utility Equipment; Screening; Ground-mounted:* Shall apply, except that ground-mounted mechanicals may be placed in the private backyard of each residential dwelling unit or may be placed on the side or rear of each townhome without the use of screening.

c. **Article 6.3. Architectural Design Standards:** Shall not apply; instead, the following shall apply:

(1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.

(2) The siding color on the rears of the buildings shall be varied.

d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.

e. **Article 6.5. Exterior Lighting Standards:** Shall apply.

f. **Article 6.6. Height Standards:** Shall apply.

g. **Article 6.7. Landscaping Standards:** Shall apply, except as modified below:

(1) The required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. Non-native species may be installed with prior approval by City staff.

(2) Varying species of plantings shall be used to protect against pest and disease. No more than thirty percent (30%) of total plant material may be of one species.

(3) *Sec. 6.7.5.B Lot & Foundation Plantings; Foundation Planting:* Shall not apply. Instead, the following shall apply:

(i) The foundation plantings shall be located within 20 feet of the foundation wall.

(ii) All lots shall have six (6) shrubs per frontage, including corner lot frontage.

(iii) The foundation planting requirement shall apply to the primary structure only.

h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.

i. **Article 6.9. Non-Residential Open Space:** Shall apply.

j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.

k. **Article 6.11. Parking & Loading Standards:** Shall apply.

l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply.

m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.

n. **Article 6.14. Property Identification Standards:** Shall apply.

o. **Article 6.15. Public Art Standards:** Shall apply.

p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.

q. **Article 6.17. Signage Standards:** Shall apply.

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

7. Subdivision Regulations

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

8. Subdivision & Planned Unit Development Design Standards

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

- a. **Article 8.1. General Provisions:** Shall apply.
- b. **Article 8.2. Block, Lot & Access Standards:** Shall apply.
- c. **Article 8.3. Street & Alley Standards:** Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards:** Shall apply, except as modified below:
 - (1) Marketplace Towns PUD is part of the overall development of the Fishers Marketplace PUD, Ordinance No. 070506, and all the Open Space, Common Area & Amenity requirements are met through the development of the entire PUD which provides for recreational uses, commercial uses, and residential uses as part of the overall PUD.
 - (2) In addition to the Fishers Marketplace PUD Open Space, Common Area & Amenities, the Marketplace Towns PUD will provide pedestrian connectivity within the Real Estate and the developer will seek approval from the adjacent landowner to develop a pedestrian connection around the detention pond to the south.
 - (3) *Sec. 8.4.6. Open Space:* Shall not apply.
- e. **Article 8.5. Other Design Standards:** Shall apply.

9. Floodplain Standards

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

10. Procedures & Permits

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

11. Enforcement & Penalties

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

12. Definitions

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

13. Sustainability Standards

The following sustainability standards shall apply:

- a. The buildings shall be constructed with all LED lights.
- b. Rain barrels shall be permitted to be connected to the roof downspouts.

(Remainder of page intentionally left blank.)

Exhibit B.1 – Real Estate Description and Depiction

PART OF BLOCK A-1 OF THE SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE, PER PLAT THEREOF, RECORDED AS INSTRUMENT NUMBER 2017041460, IN PLAT CABINET 5, SLIDE 717, IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH DIAMETER REBAR WITH A CAP STAMPED "ASI FIRM #0094" SET FLUSH AT THE SOUTHEAST CORNER OF SAID BLOCK A-1 (HEREAFTER REFERRED TO AS "SET REBAR"), THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTH AND WEST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 58 MINUTES 25 SECONDS WEST 349.09 FEET TO A REBAR WITH A "STRUCTUREPOINT" CAP; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 500.22 FEET TO A SET REBAR AT THE SOUTHERN CORNER OF PARCEL 27F AS DESCRIBED IN CAUSE NO. 29D01-1908-PL-007719 IN THE HAMILTON SUPERIOR COURT, THE FOLLOWING TWO (2) COURSES ARE ALONG THE SOUTHEAST AND EAST LINES THEREOF; 1)THENCE NORTH 19 DEGREES 45 MINUTES 50 SECONDS EAST 47.24 FEET TO SET REBAR; 2)THENCE NORTH 00 DEGREES 02 MINUTES 06 SECONDS WEST 117 .99 FEET TO A SET REBAR ON THE NORTH LINE OF SAID BLOCK A-1, THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTH AND EAST LINES THEREOF; 1)THENCE NORTH 89 DEGREES 28 MINUTES 01 SECOND EAST 333.46 FEET TO A REBAR WITH AN "ACE" CAP; 2)THENCE SOUTH 00 DEGREES 00 MINUTES 16 SECONDS EAST 665.93 FEET TO THE POINT OF BEGINNING. CONTAINING 5.274 ACRES, MORE OR LESS.



Exhibit B.2 – Concept Plan



MARKETPLACE TOWNS
LAYOUT M
W/PARALLEL PARKING
53 UNITS
FISHERS, INDIANA
SEPTEMBER 29, 2022

Exhibit B.3 – Illustrative Architectural Exhibit





Council Action Form

MEETING DATE	October 10, 2022			
TITLE	Consideration of a rezone of 5.27 acres from PUDM to PUDR for a new 53 unit, for-sale townhome residential development to be called Marketplace Towns. Subject site is generally located North of 135 th St and West of Bent Grass Lane. Case #RZ-22-3			
SUBMITTED BY	Name & Title: Megan Vukusich			
	Department:			
MEETING TYPE	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
AGENDA CLASSIFICATION	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
ORDINANCE/RESOLUTION (New ordinances or resolutions are assigned a new number)	<input type="checkbox"/> 1 st Reading	<input type="checkbox"/> 2 nd Reading	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> 3 rd Reading
				<input checked="" type="checkbox"/> Final Reading
	Ordinance #: 081522A		Resolution #:	
CONTRACTS (Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)	<input type="checkbox"/> Contract required for this item		<input type="checkbox"/> Signed copy of contract attached	
	<input type="checkbox"/> Seeking award or other scenario & will provide contract at a later date		<input checked="" type="checkbox"/> No contract for this item	
	<input type="checkbox"/> Contract over \$50,000 Please mark the box in the other column that pertains to this contract.		<input type="checkbox"/> Services <input type="checkbox"/> Capital Outlay <input type="checkbox"/> Debt Services	
HAMILTON COUNTY (Some documents need recorded by the City Clerk)	<input type="checkbox"/> Document must be recorded with the County Recorder's Office		<input checked="" type="checkbox"/> Document does not need recorded with the County Recorder's Office	
	<input type="checkbox"/> Wait 31 days prior to filing with the County Recorders' Office			

APPROVALS/REVIEWS	<input type="checkbox"/> Assistant/Deputy Department Head	<input type="checkbox"/> Controller's Office
	<input checked="" type="checkbox"/> Department Head	<input type="checkbox"/> Finance Committee
	<input type="checkbox"/> Deputy Mayor	<input type="checkbox"/> Technical Advisory Committee
	<input type="checkbox"/> Mayor	<input type="checkbox"/> Other:
	<input type="checkbox"/> Legal Counsel – <i>Name of Reviewer:</i>	
BACKGROUND (Includes description, background, and justification)	<p>Faegre Drinker on behalf of Lennar homes is requesting a rezone from PUDM (Fishers Marketplace) to PUDR for a new townhome development that would include 53 for-sale townhome units.</p> <p>See Petitioner's Packet for concept plan and architectural renderings illustrating the intended development for this property.</p>	
BUDGETING AND FINANCIAL IMPACT (Includes project costs and funding sources)	Budgeted \$:	N/A
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	Narrative:	N/A
OPTIONS (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading
	2.	Continue
	3.	Take no action
	4.	
PROJECT TIMELINE	<p>August 15, 2022 - 1st Reading -- City Council October 5, 2022- Plan Commission Recommendation and Public Hearing October 17, 2022- Proposed Final Reading -- City Council</p>	
STAFF RECOMMENDATION (Board reserves the right to accept or deny recommendations)	<p>Staff recommends that Council provide feedback and hold Final Reading for the rezone of Marketplace Towns.</p>	
SUPPLEMENTAL INFORMATION (List all attached documents)	<p>1. Petitioner's Packet 2. Ordinance</p>	