ORDINANCE NO. 042103C (Revised 6/12/2003)

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 ORDINANCES - 1980, 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-M also to be further defined as Saxony PUD-M and replaces in its entirety Ordinance #060401E.

SEE EXHIBIT "A" (legal description) ATTACHED HERETO.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of this PUD District is to provide flexibility and design to provide for a neo-traditional neighborhood consisting of commercial, entertainment and various housing densities which provides a complete residential, commercial and entertainment area that is defined with unique architectural, landscape, streetscape and signage standards in the Exit 10 area of Interstate 69.

SECTION 3. LAND USE

All land uses are subject to the location as identified on the District Zoning Plan as shown on **Exhibit** "B" attached hereto. These land uses are permitted uses within this PUD and are described by District sub-areas in the Saxony Development Standards Matrix attached as **Exhibit** "C".

SECTION 4. DEVELOPMENT STANDARDS

- 1. Design standards regarding density, open space, setbacks, parking, and signage are included in the Saxony Development Standards Matrix attached as **Exhibit** "C".
- 2. Thoroughfare standards which describe required minimums with respect to rights-of-way, parking, and streetscape for the Saxony PUD are set forth in the Saxony Thoroughfare Standards Matrix, attached as Exhibit "D".
- 3. The Saxony Development Patterns and Design Guidelines dated June 2001 shall be referred to

as a guide and for interpretation of the standards set forth in the matrices (Exhibits C and D).

SECTION 5. 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 6. APPROVAL

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 All provisions or parts thereof in conflict herewith are hereby repealed.

ADOPTED BY THE Town Council of the Town of Fishers, Indiana on this 16th day of June, 2003.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

AYE		NAY
BY: Scottle Faultles	Scott A. Faultless, President	
Must Blanky	Stuart F. Easley, Vice President	
Lot of the	Timothy O. Lima, Member	
Elein Putchand	Eileen N. Pritchard, Member	
	Daniel E. Henke, Member	
	Charles P. White, Member	
Cavid C. Horse	David C. George, Member	
ATTEST: Linda Gaye Cordell, Clerk-Treasure	Aux r, Town of Fishers, India	DATE: 6-/6-03

Approved by: Douglas D. Church: Church, Church, Hittle, and Antrim - Town Attorney

LAND DESCRIPTION

Part of the Northwest Quarter of the Northwest Quarter of Section 25, Township 18 North, Range 5 East, Hamilton County, Indiana, being a part of the land described in Deed Record 170, page 21, as recorded in the Office of the Recorder of Hamilton County, Indiana, and described as follows:

Beginning on the North line of said Quarter Quarter Section North 89 degrees 36 minutes 34 seconds East (bearing based upon state plane coordinate data, NAD 83, Indiana East Zone) 787.40 feet from the Northwest Corner of said Quarter Quarter Section, at the Northeast corner of the lands conveyed to Hamilton County Indiana for Highway purposes (Project No. PR-97-0003) in a Warranty Deed recorded as Instrument #9809846470 in the Office of the Recorder of Hamilton County, Indiana, the following eleven courses are along the Southerly and Easterly lines of said Hamilton County, thence South 00 degrees 23 minutes 26 seconds East 16.50 feet; thence South 81 degrees 09 minutes 38 seconds West 66 34 feet; thence South 86 degrees 44 minutes 50 seconds West 328.49 feet; thence South 88 degrees 53 minutes 36 seconds West 262.49 feet; thence South 32 degrees 28 minutes 38 seconds West 79.99 feet; thence South .00 degrees 38 minutes 00 seconds East 328.71 feet; thence South 02 degrees 07 minutes 26 seconds East 197.86 feet; thence South 05 degrees 20 minutes 47 seconds West 165.07 feet; thence South 01 degree 31 minutes 32 seconds West 296.35 feet; thence South 01 degrees 11 minutes 37 seconds East 115.57 feet; thence South 05 degrees 51 minutes 34 seconds West 116.27 feet to the South line of said Quarter Quarter Section; thence along said South line North 89 degrees 31 minutes 02 seconds East 1260.33 feet to the Southeast Corner of said Quarter Quarter Section; thence along the East line of said Quarter Quarter Section North 00 degrees 12 minutes 40 seconds West 940.45 feet to the Southeast Corner of the lands described in a Warranty deed conveying a 1.15 acre tract of land_to Sheeks and recorded os Instrument #9809833660 in the office of the recorder of Hamilton County, Indiana, the next two courses are along the line of Sheeks; thence South 87 degrees 41 minutes 58 seconds West 150.10 feet; thence North 00 degrees 12 minutes 40 seconds West 366.88 feet to the South line of State Road #238 (Project 1-69-1 (30) (6)); thence along said South line North 70 degrees 25 minutes 48 seconds West 30.09 feet; thence perpendicular to the North line of said Quarter Quarter Section North 00 degrees 23 minutes 26 seconds West 16.50 feet to said North line; thence along said North line South 89 degrees 36 minutes 34 seconds West 356.47 feet to the point of beginning, containing 35.82 acres, more or less, and subject to rights of way and easements of record.

Property C

LAND DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 5 EAST, LOCATED IN FALL CREEK TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE NORTH 89 DEGREES 33 MINUTES 00. SECONDS EAST (ASSUMED BEARING) 163.62 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF A 4.62 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NUMBER 8910747; THENCE SOUTH OR DEGREES OR MINUTES 57 SECONDS WEST 577.53 FEET ON AND ALONG THE WEST LINE OF SAID 4.62 ACRE TRACT TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH OU DEGREES OU MINUTES 57 SECONDS WEST 754.02 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE SOUTHWEST CORNER OF SAID 4.62 ACRE TRACT; THENCE NORTH 89 DEGREES 32 MINUTES 30 SECONDS EAST 151.19 FEET ON AND ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID NORTHEAST. QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE SOUTHEAST CORNER OF SAID 4.62 ACRE TRACT; THENCE NORTH OO DEGREES OO MINUTES 57 SECONDS EAST 754.00 FEET ON AND ALONG THE EAST LINE OF SAID 4.62 ACRE TRACT TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 89 DEGREES 33 MINUTES OO SECONDS WEST 151.19 FEET TO THE POINT OF BEGINNING. CONTAINING 2.62 ACRES, MORE OR LESS

Property D

LAND DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 5 EAST, LOCATED IN FALL CREEK TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE NORTH 89 DEGREES 33 MINUTES DO SECONDS EAST (ASSUMED BEARING) 163.62 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE NORTHWEST CORNER OF A 4.62 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT NUMBER 8910747, SAID NORTHWEST CORNER OF THE 4.62 ACRE TRACT ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH OO DEGREES OO MINUTES 57 SECONDS WEST 577.53 FEET ON AND ALONG THE WEST LINE OF SAID 4.62 ACRE TRACT. TO A 5/8": IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 89 DEGREES 33 MINUTES OO SECONDS EAST 151.19 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILER SURVEYING ON THE EAST LINE OF SAID 4.62 ACRE TRACT; THENCE NORTH OD DEGREES OO MINUTES 57 SECONDS EAST 577.53 FEET TO THE NORTHEAST CORNER OF SAID 4.62 ACRE TRACT; THENCE SOUTH 89 DEGREES 33 MINUTES 00 SECONDS WEST 151.19 FEET ON AND ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING. CONTAINING 2.00 ACRES, MORE OR LESS.

Surveyor Correction Description Deer Creek Industrial Park Parcels for Annexation into the Town of Fishers

Lots 1, 2, 3, 4, 5, 6, C.A. #1 and Block "A" in Deer Creek Industrial Park, Secondary Plat, a subdivision in Hamilton County, Indiana, as per plat thereof, recorded December 28, 1998, in Plat Cabinet 2, Slide No. 209, as Instrument No. 98-09874904, in the Office of the Recorder of Hamilton County, Indiana.

\$\partial \text{ap due to discrepancies in the record descriptions which varies from 6.4 feet to 6.6 feet along the west boundary of Lot 3 in Deer Creek Industrial Park as disclosed on survey prepared by Stoeppelwerth Associates, Inc., dated December 1, 1998.

Gap due to discrepancies in the record descriptions which varies from 6.4 feet to 6.6 feet along the west boundary of Lot 4 in Deer Creek Industrial Park as disclosed on survey prepared by Stoeppelwerth Associates, Inc., dated December 1, 1998.

0 \$00 IV:1646 11/20000 Idocs \Surveyor Correction Description.doc

PROPERTY A

LAND DESCRIPTION PRYOR PARCELS

Parl of the Northeast and Southcast Quarter of Section 26, Township 18 North, Range 5 East in Hamilton County, Indiana, being more particularly described as follows:

TRACI "A"

COMMENCING at the Southeast Corner of the said Northeast Quarter Section; thence North 00 degrees 13 minutes 17 seconds West (Assumed Bearing) along the East Line of the said Northeast Quarter Section a distance of 587.33 feel: thence South 89 degrees 18 minutes 25 seconds West, parallel with the South Line of the said Northeast Quarter Section, a distance of 99.71 feet to the West Right—of—Way line for Olio Road per Crant of Right of Entry recorded as instrument number 9809818/19 in the Office of the Recorder of Hamilton County, Indiana and the BEGINNING POINT (the next two (2) described courses being along the said West Right—of—Way Line for Olio Road); thence South 03 degrees 50 minutes 54 seconds East a distance of 68.87 feet to a curve having a radius of 16,466.54 feet, the radius point of which bears South 89 degrees 26 minutes 55 seconds East; thence Southerly along the arc of said curve a distance of 518.59 feet to a point on the South Line of the said Northeast Quarter Section (said point bears South 88 degrees 44 minutes 49 seconds West from said radius point); thence South 89 degrees 18 minutes 25 seconds West along the said South Line a distance of 1740.99 feet; thence North 00 degrees 27 minutes 26 seconds West a distance of 587.32 feet; thence North 89 degrees 18 minutes 25 seconds East, parallel with the said South Line, a distance of 1737.88 feet to the BEGINNING POINT, containing 23.461 acres, more or less.

TOGETHER WITH:

COMMFNAING at the Northeast Corner of the said Southeast Quarter Section; thence South DO degrees 13 minutes 52 seconds Cast (Assumed Boaring) along the East Line of the said Southcast Quarter Section a distance of 1331.17 feet; thence South 89 degrees 18 minutes 38 seconds West a distance of 60.27 feet to the West Right- of-Way line for Olio Road per Crant of Right of Entry recorded as instrument number 9809818719 in the office of the Recorder of Hamilton County, Indiana and the BEGINNING POINT: thence continue South 89 degrees 18 minutes 38 seconds West a distance of 2573.18 feet to the West Line of said Southeast Quarter Section; thence North 00 degrees 14 minutes 00 seconds West along the said West Line a dislance of 1331.00 feet to the Northwest Corner of the said Southeast Quarter Section; thence North 89 dagrees 18 minutes 25 seconds East along the North Line of the said Southeast Quarter Section a distance of 2539.76 feet to the West Right-of-Way Line for Olio Road per said Grant of Right of Entry (the next eight (8) described courses being along the said West Right-of-Way Line)(said point also being on a curve having a radius of 16,166.54 feet, the radius point of which bears North 88 degrees 14 minutes 49 seconds East); thence Southerly along the arc of said curve a distance of 189.36 feet to a point which bears South 88 degrees 05 minutes 1/ seconds West from said radius point; thence South 01 degrees 54 minutes 43 seconds East a distance of 147.78 feet; thence South 00 degrees 57 minutes 01 seconds West a distance of 394.19 feet: thence South 01 degrees 54 minutes 43 seconds West a distance of 196.85 feet; thence South 36 degrees 44 minutes 52 seconds West a distance of 105.04 feet; thence South 45 degrees 26 minutes 36 seconds East a distance of 90.51 feet; thence South 06 degrees 40 minutes 32 seconds East a distance of 197.53 feet; thence South 04 degrees 12 minutes 10 seconds East o distance of 59.21 feet to the BEGINNING POINT, containing 77.738 ocres, more or less.

Containing a net total of 101.199 acros, more or loss.

PARCEL 1.

Part of the South Half of the Southeast Quarter of the Northwest Quarter of Section 26, Township 18 North, Range 5 East of the Second Principal Meridian, in Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at the Southeast corner of the Northwest Quarter of sald Section 25, said point being in the center of Pennington Road (gravel road); thence North 00 degrees 11 minutes 50 seconds West along the East Ilne of said Northwest Quarter and the centerline of Pennington Road, 620.83 feet to the Point Of Beginning, said point also lying South 00 degrees 11 minutes 50 seconds East 45.00 feet from the Northeast corner of the South Half of said Quarter Quarter Section; thence South 89 degrees 25 minutes 20 seconds West parallel with the North line of the South Half of said Quarter Quarter Section 763.44 feet; thence South 00 degrees 11 minutes 50 seconds East parallel with the East line of said Northwest Quarter, 287.94 feet; thence South 89 degrees 25 minutes 20 seconds. West parallel with the North line of the South Half of said Quarter Quarter Section, 550.80 feet to the West line of the Southeast Quarter of said Northwest Quarter; thence North 00 degrees 16 minutes 07 seconds West along said West line 332.93 feet to the North line of said Half Quarter Quarter Section; thence North 89 degrees 25 minutes 20 seconds East along the North line of said Half Quarter Quarter Section, 1314.66 feet to the East line of said Northwest Quarter, said point also lying in the center of Pennington Road; thence South 00 degrees 11 minutes 50 seconds East along said East line and Pennington Road 45.00 feet to the Point Of Beginning. Containing 5.00 acres, more or less.

AND

PARCEL 2:

Part of the South Half of the Southeast Quarter of the Northwest Quarter of Section 26, Township 18 North, Range 5 East of the Second Principal Meridian, in Fall Creek Township, Hamilton County, Indiana, described as follows:

Beginning at the Southeast corner of the Northwest Quarter of said Section 26, said point also being the center of Pennington Road (gravel road); thence South 89 degrees 24 minutes 22 seconds West along the South line of said Northwest Quarter 1313.83 feet to the Southwest corner of said Quarter Quarter Section; thence North 00 degrees 16 minutes 07 seconds West along the West line of said Quarter Quarter Section 333.26 feet; thence North 89 degrees 25 minutes 20 seconds East parallel with the North line of the South Half of said Quarter Quarter Section 550.80 feet; thence South 00 degrees 11 minutes 50 seconds East parallel with the East line of said Northwest Quarter, 288.11 feet; thence North 89 degrees 24 minutes 22 seconds East parallel with the South line of said Northwest Quarter, 763.45 feet to the East line of said Northwest Quarter, sald point lying South 00 degrees 11 minutes 50 seconds East 620.83 feet from the Northeast corner of the South Half of said Quarter Quarter Section; thence South 00 degrees 11 minutes 50 seconds East along said East line and the center of said road 45.00 feet to the Point Of Beginning. Containing 5.00 acres, more or less.

AND

PARCEL 3:

Part of the South Half of the Southeast Quarter of the Northwest Quarter of Section 26, Township 18 North, Range 5 East of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at the Southeast corner of said Northwest Quarter Section; thence North 00 degrees 11 minutes 50 seconds West along the East line of said Northwest Quarter 45.00 feet to the Point Of Beginning; thence South 89 degrees 24 minutes 22 seconds West parallel with the South line of said Northwest Quarter 763.45 feet; thence North 00 degrees 11 minutes 50 seconds West parallel with the East line of said Northwest Quarter 576.05 feet; thence North 89 degrees 25 minutes 20 seconds East parallel with the North line of said Half Quarter Quarter Section 345.48 feet; thence South 00 degrees 11 minutes 50 seconds East parallel with the East line of said Northwest Quarter 530.95 feet; thence North 89 degrees 24 minutes 22 seconds East parallel with the South line of said Northwest Quarter Section 417.97 feet to the East line of said Northwest Quarter, thence South 00 degrees 11 minutes 50 seconds East along said East line 45.00 feet to the Point Of Beginning. Containing 5.00 acres, more or less.

Annexation Description

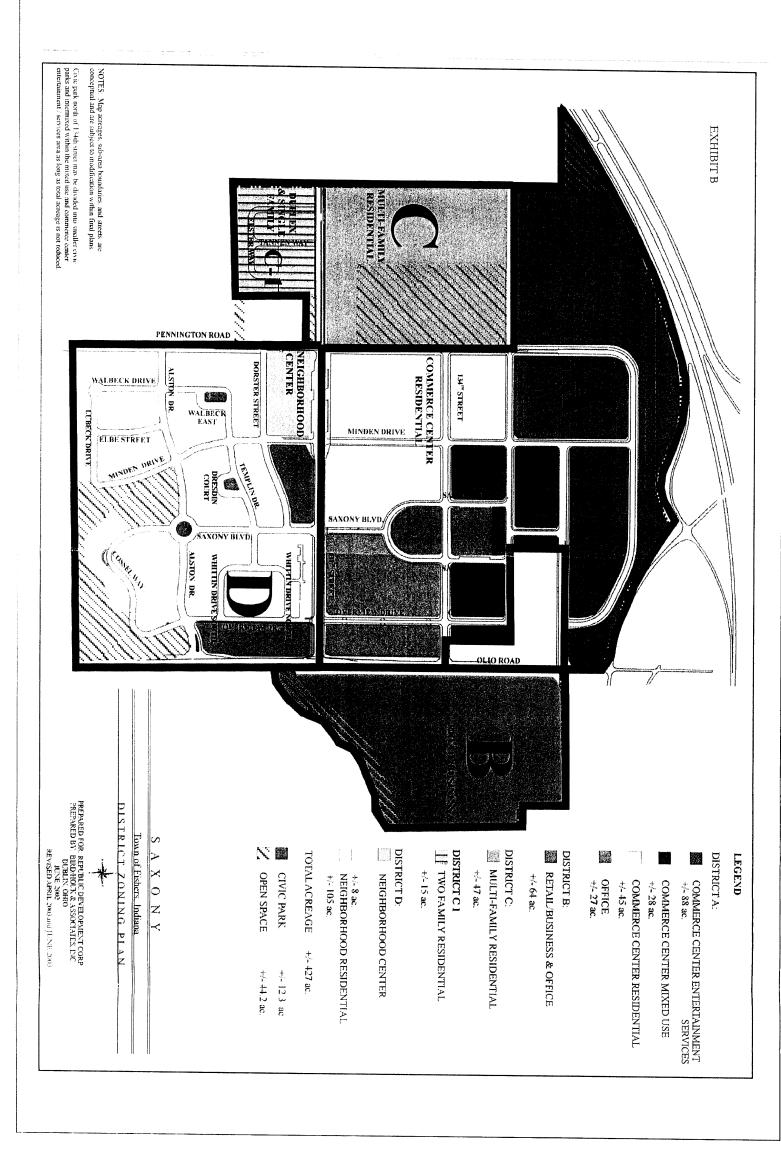
The South Half of the South Half of the West Half of the Northwest Quarter of Section Twenty-Five (25), in Township Eighteen (18) North, Range Five (5) Ease, containing 40 acres, more or less.

EXCEPTING THEREFROM; that portion of the Above-described parcel lying within a part of the South Half of the West Half of the Northwest Quarter and a part of the Northwest Quarter of the Northwest Quarter of Section 25, Township 18 North, Range 5 East;, Hamilton County, Indiana, being a part of the land described in Deed Record 170, page 21 as recorded in the Office of the Recorder of Hamilton County, Indiana, lying within the proposed right of way depicted on the Route Survey Plat of Parcel 25 of the Hamilton County Highway Department Project No. PR-97-0003 more particularly described as follows: Beginning at the Northwest corner of said section; thence South 89 degrees 56 minutes 53 seconds East 240.00 meters (787.40 feet) along the North line of said Section; thence South 0 degrees 03 minutes 07 seconds West 5.029 meters (16.50 feet) to the North boundary of 136th Street; thence South 81 degrees 36 minutes 11 seconds West 20.219 meter (66.34 feet); thence South 87 degrees 11 minutes 23 seconds West 100.125 meters (328.49 feet); thence South 89 degrees 20 minutes 09 seconds West 80.006 meters (262.49 feet); thence South 32 degrees 54 minutes 17 seconds West 24,362 meters (79.93 feet); thence South 0 degrees 12 minutes 59 seconds East 100.192 meters (328,71 feet); thence South 1 degree 42 minutes 25 seconds East 60.308 meters (197.86 feet); thence South 5 degrees 45 minutes 48 seconds West 50.314 meters (165.07 feet); thence South 1 degree 56 minutes 33 seconds West 90.328 meters (296.35 feet); thence South, 0 degrees 46 minutes 36 seconds East 35.227 meters (115.57 feet); thence South 6 degrees 16 minutes 35 seconds West 65.071 meters (213.49 feet; thence Southwesterly 239,136 meters (784.57 feet) along an arc to the left and having a radius of 4,982,000 meters (16,345,14 feet) and subtended by a long chord having a bearing of South 2 degrees 06 minutes 02 seconds West and a length of 239.113 meters (784.49 feet); thence South 8 degrees 41 minutes 27 seconds East 50.419 meters (165.42 Feet); thence South 2 degrees 49 minutes 53 seconds West 87.607 meters (297.42 feet) to the South line of the South Half of the West Half of the Northwest: Quarter of said Section; Chance South 89 degrees 50 minutes 46 seconds West 6.445 meters (21,15 feet) along said south line co the East boundary of Olio Road; thence continuing South 89 degrees 50 minutes 46 seconds West 5.029 meters (16.50 feet) along said South line to the West line of said Section; hence North 0 degrees 11 minutes 44 seconds East 811.530 meters (2,662.50 feet) along said West line to the point of beginning and containing in said exception 1,777 hectares (4.391 acres), more or less. The portion of the above described real estate which is not already embraced within public rights of way contains 1.251 hectares (3.091 acres). more or less.

ALSO EXCEPT THE FOLLOWING:

A part of the West Half of Section 25, Township 18 North, Range 5 East in Fall Creek Township, Hamilton County; Indiana, more particularly described as follows;

Beginning at the Southeast corner of the Southwest Quarter of said Section, thence westerly along the South line 2649.36 feet to the Southwest corner of said section; thence North along the West line of said Section 2662.15 feet to the Southwest corner of the Northwest Quarter of said Section; thence East along the South line of said Northwest Quarter Section to a point on the thread of Mud Creek, said point also being the POINT OF BEGINNING of this description; thence meandering along said thread to a point on the East line of the Southwest Quarter of the Northwest Quarter Section; thence South along said East line to a point on the South line of said Northwest Quarter Section; thence West along said South line to the place of beginning, and to all adjacent and existing right-of-ways, containing 12 acres more or less,



	For a Detailed evolution of each Land UseZoring Classification®, refer to the Town of Fishers, Indiana Code of Land Like Ordingness as anginged—the corresponding page numbers are shown below in India 8 for code records search remarked and uses, conditional uses, and development standards. The development standards formulated and approved succificably for this PUD shall lake precedence over the existing levelopment standards. The development standards formulated and approved succificably for this PUD shall lake precedence over the existing levelopment standards. The development standards formulated and approved succification of the support of t	ei the existing development et the existing development struction type, materials.	umbers are shown b take precedence ov loor retail	ponding page n. c this PUD shall d above groundf projects shall	as amended - the corre- monoved specifically it mial units can be place e. e. e. item possible ances for multi-family	Land Lise Ordinances: I dand the Ordinances of mulared and amins the same Reside nunt remains the sam nunt remains the sam uniding separation dist tf A'	Eishers, Indiana Code of the development states the total unit count reason gas the total unit count reason gas the total unit count reason backman sauce to buildings. Actual buildings araded as exhibit.	refer to the Town of ferelloment standars thood center as long; to sub-area B as lo to sub-area B as lo to should face 1000 rojects with multip yies to the zoning comm VARY WITH FIX!	g Classification® -1 ditional uses, and d learness to neighborb F. only. ther sub-areas to its max. reet paiking. All lo Distribution Distalability Distribution Distalability ATE AND MAY:	each Land UserZoninn mutted land uses, con- mutted land uses, con- sifered from other sub- less than 10,000 S. It transferred from of try, see dwelling uni- ty, see dwelling uni- ty, see to the ling uni- ty, see the ling uni- land uni- ty, see the ling uni- ty, see th	For a Detailed evolutation of each Land Use Zoning Classification® refer to the Town of Fishers, Indiana Cade of Land Use Ordingues as a grigified—the corresponding page numbers are shown below in India 8 fine code provides seemine permitted land uses, conditional uses, and development standards. The development standards formulated and approved specifically for this PUD shall take precedence over the existing development. Individual Renail Users less than 10,000 S.F. orly. "Individual Renail Users less than 10,000 S.F. orly. "On 300 units can be transferred from other sub-areas to sub-area B as long as the total unit count remains the same. "To 300 units can be transferred from other sub-areas to sub-area B as long as the total unit count remains the same. "To 300 units can be transferred from other sub-areas to sub-area B as long as the total unit count remains the same. "To 300 units can be transferred from other sub-areas to sub-area B as long as the total units count remains the same. "Town of Fishers may also one credit for on store yaking, till use abound have — uses executed part to qualify the sub-areas to sub-areas to sub-areas to sub-areas to sub-areas to sub-areas than 10,000 to sub-areas t	OB # 1 1 1 2 7 - T
									2000	± 422	TOTAL NET ACREAGE TOTALS (GROSS)	Over- 1
parting and estimates, so retrue entances, shopping of international districts shall be allowed upon precentation and approval by Fishers Fown Council SECTION 6. For any sign standards not defined in this ordinance refer to requirements of section 15% of the Fown of Fishers Land Use Code of Ordinances. SECTION 7. REVIEW PROCEDIMES. In addition to complying with these regulations and prior to resistation, all signs, knowns, knows, and standard signs shall be reviewed and approved by the Eart III PUD committee. MI settlinear signs described in this Ordinance of Section 15% of the Fown of Fishers Land Field Ade Exceeding Sur 44 square feet shall require the resistance of a remaint sign described in this Ordinance of Section 15% of the Fown of Fishers Land Field Ade Exceeding Sur 44 square feet shall require the resistance of a remaint sign state of the Public	2 off-street spaces per residence (Excluding Garage)	45	1,300 S F Single Story 1,600 S F Multi-Story	50' or Smaller up to 30% S. \$11-60' lup to 40% Vim	v	20' From Property Line or Centerline of Alley	:+ 21 &		R1, R2 350 R3, R3C R4, R4C R5, R5C	± 105 R.	Neighborhood Residential	D
Building Disectory signs identifying the companies of a commercial building shall be mounted on a wall exact be entrance and shall not exceed say (s) equate feet Commerce Center Miscol-Use, Commerce Center Enternament, Commerce Center Entername	Real Commercial. One parking space for each 100 s.f. of gross floor area, but no less than three spaces per use, Residential. I space per octoron for multi-dramy, 2 off steep spaces per unit for single family. Shared parking may be permitted.	Studio 500 S.F. 45° 1 Bedroom 650 S.F. 2 Bedroom 800 S.F. 3 Bedroom 1,000 S.F. 3 Bedroom 1,000 S.F.	Stud 1 Bedro 2 Bedro 3 Bedro		0 (Common Wall Allowed)	20' Buiding 5' Parking		10,000 S.F Per Acre	C1. C2**. (*) R6, R7	5 80 CI.	Neighborhood Center 🗅	
2. Commerce Center Mixed-Vos, Commerce Center Enternament, Commerce Center Associated, Office, Seral, Business Mixed-See, Maliy-Family Residential, Veighborhood Center A sandwise board A Johnsen per spip stale be allowed as follows: 1. The are stall allow exceed first Center (S) only the refer center of the Center (S) of the perfect center of the suphosed shall be made of wood, chalabourd, center of the suphosed shall be made of wood, chalabourd, center of the suphosed shall be made of wood that because how the suphose of the suphosed shall be suphosed only forming business hours 1. The supp shall be stabilished only forming business hours 1. The supp shall not be placed in the right-of-way. 1. Commerce Center Mixed-Vos, Commerce Center (Search Mixed-Vos Maliy-Family Resistantal Monthly Center of Commerce Center (Search Mixed-Vos Maliy-Family Resistantal Monthly Center of Center (Search Mixed-Vos Maliy-Family Resistantal Monthly Center (Search Mixed-Vos Mixed-Vos Maliy-Family Resistantal Monthly Center (Search Mixed-Vos Mixed-Vos Maliy-Family Resistantal Monthly Center (Search Mixed-Vos Mixed-	I space per bodroom for multi-family, 2 off street spaces per unit for single family (Including Garage or Carport)	1 Bedroom 650 S.F. 45" 2 Bedroom 300 S.F. 3 Bedroom 1,000 S.F.	1,300 S.F. 1 Bedr Single Story 2 Bedr 1,600 S.F. 3 Bedro Multi-Story	40' (Min.) With Alley 50' Without Alley	Single Family (Individual Lot) 5' Multi-Family (Project) 25' **	Single Family (Individual Lot) 20' Multi-Family (Project) 25' 4	-	Office Use Only 12,000 S.F/ Acre Max No Max. Residential	R1, R2, R3, 75 R3C, R4, R4C, R4, R5C, R6 R7, C1	, ,	Multi-Family Residential	ū
Multiple did for a leonari chica matta abbata sobring areas of planar. Part of the process area. Part of the process area.	space per bedezom for multi-family, off storest spaces per unit for single family (Including Grange or Carport) Se	1 Bedroom 650 S.F. 45° 2 Bedroom 800 S.F. 3 Bedroom 1,000 S.F.	1,300 S.F. 1 Bedi Single Story 2 Bedi 1,600 S.F. 3 Bedro Multi-Story		Single Family (Individual Los) 5' Multi-Family (Project) 25' #	Single Family (Individual Lot) 20 Multi-Family (Project) 25° *	1+ 194	Office Use Only 12,000 S.F/ Acre Max. No Max. Residential	R1, R2, R3, 475 R3C, R4, R4C, R5, R5C, R6 R7, C1		Multi-Family Residential	C
An aggregate sign are of two (2) square feet per one hortzontal lineal foot of buildings/general footage up to the categoried mass 25 percent if upta are chosen from more than one; (1) excepts in 13 bit 2 below (ground sings excluded) and at deemed within by the East 10 PtD committee. Features may choose to follow the C3 sign standards of Section 1834 in the form of Features. The the chosen is the chosen of the C3 sign standards of Section 1835 in the form of Features. The C2 sign standards of Section 1835 in the form of Features. The C3 sign standards of Section 1835 in the form of Features (2) sign standards of Section 1835 in the form of Features (2) sign standards of Section 1835 in the form of Features (2) sign standards of Section 1835 in the Section	Retail: I space per 20 it gross floor area. Resiaumar: 1 space per 35 it gross floor area. Office (general & medical): 1 space per 333 it gross floor area gross floor area Residential: 1 space per bedroom for multi family	Same as Commerce 45' Center Residential If Office:	Same Cent		10' Building 10' Parking 10' Parking If office 10' Building. 10' Parking, 0' if abuts another parking lot	20 Building 15 Parking 16 office: 10 Building, 10 Parking, 0' if abuts another parking lot	1+ 5.5	Retail: 10,000 S.F. Per Acre If Office: 18,000 S.F. per acre	C1, C2, C3, C4, R7 Hotels	± 74	Retail/Business Mixed Use	₩
Mail sign Clad for and known - most as with good more entered to find a good of force Mark 2 ingles 54 clades and shown - most as with good more entered from the state of finding on second floor Mark 2 ingles 52 clades as the second floor Mark 2 ingles 52 clades as the second floor Mark 2 ingles 52 clades Mark 2 ingl		65'	1		6 B	20' Building 10' Parking O' Building & Parking (if abuiting another Parking Lot)	1+ 0.4	18,000 S.F. Per Acre			ОПес	
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SECTI L L 2 3 4 SECTI SECTI SIGN THE F	Retail: I space per 250 s.f. gross floor area. Restaurant: I space per 75 s.f. gross floor area. Office (general & medical): I space per 35 s.f. gross floor area. Residential: I space per bodroom for Multi-Family See shared parking near pg.15 of Pattern book.	1 Bedroom 650 S.F. 1999 2 Bedroom 1,000 S.F. 10.5 ³	1 Be 2 Be 3 Box	1	0 (Common Wall Allowed) 9 Dulding & Parking (if abutting another Parking Lot)	5' Building 5' Parking 5' Parking 6' Building & Parking (if abutting another Parking Lot)	+ 2.0	MAX NO	400 C1, C2, C3, C4, R6, R7 Hotels	CΩ ***	Commerce Center Entertainment/ Service	>
SECTION I. PURPOSE AND INTENT This Chart is intended to establish signage and I. Compatible with surroundings. I. Compatible with surroundings. I. An enhancement to the district's visual I ifarmonious in cooler, naterial, and light I offerity, readable, and safe. SECTION 2. DEFINITION (for Section 158 I. Sign - Any demandination, description, al	Retail: I space por 250 st. gross floor strat. Restaunt: I space per 17 s.t. gross floor area. Office (general & medicall): I space per 333 s.t gross floor area. Restainnal: I space per bedroom for Multi-Family. See shared parking exar bys.l 5 of pattern book.	Studio 400 S.F. 1 Bedroom 650 S.F. 2 Bedroom 1,000 S.F. 3 Bedroom 1,000 S.F.	1 BR 2 BR 3 BR	I	O (Common Wall Allowed) By O'Building & Parking (if abutting another Parking Lot)	5' Building 5' Parking 0' Building & Parking (if abutting another Parking Lot)	± 3.0 (Civic Park)	MAX NO	C1, C2, C3, C4 R6, R7, Hotels	1+ 28 C1,	Commerce Center Mixed Use	
SIGNAGE	PARKING Parking Lot Standards (except District D: Neighborhood Residential)	Multi-Family Max. Unit Bldg. Min. S.F. Hgt.	Single N Family Min. S.F.	Lot Width (Single Family)	RESTRICTIONS Side Yard (Min.)	SETBACKS AND RESTRICTIONS Rear Side Yard Yard (Min.) (Min.)	Open Space Civic/Park (Included in District Acreage)		ermitted Dwelling units (Max.)	ict igeo	DISTRICT SUB-AREAS See Attached Conceptual Development Plan	DISTRICT
6/12/2003 Prepared for: Republic Development Corp. Land Planning: Bird/Houk & Associates Inc.	ЕХНІВІТ С					IX)-M) MATR	RDS (PUI	STANDA	OPMENT	19 201	SA

SAXONY THOUROUGHFARE STANDARDS MATRIX (PUD -M)		
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		THOUROUGHFARE STANDARDS MATRIX

EXHIBIT D

Prepared for: Republic Development Corp.
Land Planning: Bird/Houk & Associates Inc. 6/12/2003

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	District A. Commerce Center Basidantial	65.	30	Chairback	Dott sides	ō c	2	Survive Committee
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	District A: Mixed Use	65	39"	Chairback	Both Sides	82	5'	0' Building, 5' Parking
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Pennington Road (South of Taiblick)	District A: Commerce Center Residential	65'	36' (40' Within	Chairback	East side only	œ	Ş;	10' Building, 10' Parking
	District C: Multi-Family Residential	65.	150' of 131st Street)	Chairhack	Fact side only	ě	ý	10' Duilding 10' Dading
Dominator Bood (Niggle - AT-ILIE-II)	District C. Muni-Panny Residentian	5	TOO OT TOTAL SHEET)	CHAITOACK	East side only	×	,	10 Building, 10 Parking
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Saxony Blvd. (South of 134th Street)	District A: Office, Commerce Center Residential	65	39"	Chairback	Both sides	œ	'n	10' Building 10' Parking
OR: D1	Ť		37	CHALLOWA	Dom sides	0	J	10 Building, 10 Parking
One Road	District A: Office	Existing	Existing	Chairback	none	œ	οž	25' Building, 25' Parking
	District B	Existing	Existing	Chairback	none	×į	ř	25' Building 25' Parking
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Pennington Road	District D: Neighborhood Center	65'	36' (40' Within	Chairback	East Side Only	ě	ż	15' Building
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	District D: Neighborhood Kesidential	_	150' of 131st Street)	Chaurback	none	∞ <u>i</u>	Ş	15' Building
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Olio Road	District D: Neignborhood Kesidential	00	28.	Roll	One Side	10,	o _ž	15' Building
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Olio Road Street 'A' Cossel Way The Service Se	District D: Neignborhood Kesidenhan		23-6" Each Side	Chaurback (5)	Each outside lane (2)	10'	(A)	15' Building, 15' Parking
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ă	District D: Neighborhood Residential	3	26	Roll	One Side	- 4	يدا	15' Building
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A: Developer may choose to keep any individual street private.

B: Streett shown as Public may be keep Private in which case design criteria may change.

C: Street rees shall not block vision clearance triangles or traffic control signs at intersections.

Town shall have right to remedy any obstruction.

D: MUTCD standard signs shall be intralled by developer and maintained by the town. If other signs are used the applicable association or master will be responsible for maintenance.

1. Angled parking may be provided in lieu of parallel parking. 22.5' min, parking lane width dimension and 26' length of parking space.

2. Parking lane changes required as a result of traffic changes shall be approved by the Town Council.

3. Straight curbs from the median.

4. Ingress / Egress easement.

5. Tree lawn can be paved in Commercial Areas with trees located in tree grates or elevated planters.

6. R.O.W. width in commercial districts may be reduced when tree lawn is removed or paved as long as minimum width equals or exceeds 50'.

7. Street tree spacing and locations may vary or be eliminated as required in urban retail plazas.

8. Sethacks measured from back of curb on private streets.

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9. Tree lawn and sidewalks are not required adjacent to common areas and parks if other pathways provide connectivity throught the area.

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COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE

Republic Development (the "Developer") makes the following commitments to the Fishers Advisory Plan Commission (the "Commission") regarding the use and development of the following described real estate (the "Real Estate") located in Hamilton County, Indiana:

Section 1. Description of Real Estate:

See Exhibit A attached hereto.

Section 2. Docket No.: 6-R-03

Section 3. Statement of Commitments:

A. <u>Development Commitments</u>.

Near Pennington Road and 131st Street for the neighborhood retail center located at the southeast quadrant of Pennington Road and proposed 136th Street:

- The following C-1 and C-2 uses will not be permitted:
 - a. Firestation
 - b. Meat market
 - c. Cafeteria or fast food service
 - d. Auto service stations
 - e. Fast food drive-thru on west side of building facing Pennington Road
 - f. Liquor store
- 2. Building height restriction of 35= one-story with residential style facing Pennington Road.
- No loading or service areas will face Pennington Road.
- A 3= mound, evergreen hedge or other screening elements will be placed along the Pennington Road frontage to screen any parking areas. Street trees will be placed at 35= on center along street frontage.
- 5. Lighting will be lowered not to exceed 18= height and will be directed to limit light spillage offsite.
- 6. No more than one ground mounted sign will be allowed along Pennington Road frontage (max size 35 sf/max height 6=).
- 7. Any store fronts facing Pennington Road will be limited to hours of operation between 7:00 a.m. and 10:00 p.m.
- 8. All building sign lighting or free-standing signage lighting facing Pennington Road shall be turned off no later than 10:00 p.m.

Abutting Existing Pennington Road Residences:

- 9. The number of dwelling units is limited to a maximum of 75.
- 10. Under the residential zoning classifications only for sale single-family detached or two family (duplex) attached units are permitted.
- 11. Buildings shall be a maximum 2 story in height.
- 12. At the time of development an 8' high buffer (consisting of a combination mound, fence and landscaping) shall be constructed along the eastern property line of the 15 acre parcel adjoining the existing Pennington Road residences. The following buffer items shall be installed constructed by the developer:
- 13. An earthen mound varying in height between 3' and 5' shall be constructed along the entire eastern property line.
- 14. A 48" wood shadowbox fence shall be constructed on top of the mound in 90' to 110' segments with 15' separation between each segment to allow for landscaping breaks.
- 15. Three evergreen trees a minimum of 6' in height shall be planted in the 15' area between the fence segments along with a minimum of three (3) shrubs a minimum 18" in height.
- 16. Along each fence segment an additional 20' of planting beds containing shrubs 3' on center shall be installed on the eastern side of the fence.
- 17. A minimum of two (2) deciduous trees shall be planted along each fence segment.

Section 4. Binding Effect

- A. These commitments are binding upon the Developer, each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless modified or terminated.
- B. These commitments may be modified or terminated only by a decision of the Fishers Town Council following a public hearing held by the Fishers Plan Commission wherein notice has been given as provided by the Plan Commission's rules.

Section 5. Effective Date

The commitments contained herein shall be effective upon adoption of the Saxony PUD Ordinance #042103C as amended by the Town Council of Fishers, Indiana assigning the Saxony PUD-M zoning classification to the real estate identified in Docket No. 6-R-03.

Section 6. Recording

The undersigned hereby authorizes the Secretary of the Commission to record these commitments in the Office of the Recorder of Hamilton County, Indiana.

Section 7. Enforcement

These commitments may be enforced by the Plan Commission and by the Town Council of Fishers, Indiana.

IN WITNESS WHEREOF, Republ executed as of the day of	ic Development has caused th	is commitment to be
	[INSERT DEVELOPER NA	ME HERE]
	Ву:	
STATE OF INDIANA) SS: COUNTY OF)		
COUNTY OF)		
Before me the undersigned, personally appearedbeen duly sworn acknowledged the ex	a Notary Public in and for sa , of Republic Deve xecution of the foregoing Comm	lopment, who having
Witness my hand and Notaria	l Seal thisday of	, 2003.
My Commission Expires:	Notary Public	_
	PrintedResiding in	County