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04/28/2021 04:08:04PM 23 PGS  
Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



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2021031330 ORDI \$25.00  
04/26/2021 02:33:08PM 43 PGS  
Jennifer Hayden  
Hamilton County Recorder IN  
Recorded as Presented



TGR

**The previous document was recorded in error.**

**ORDINANCE NO. 021521D**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICAL ZONING MAP TO REZONE 36 ACRES FROMEN TO PUD-M FOR A PROJECT KNOWN AS VILLAS AT FISHERS DISTRICT.**

**WHEREAS**, this is an ordinance to amend the Official Zoning Map incorporated into 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-21-2 as required by law in regard to the Rezone; and

**WHEREAS**, the Plan Commission at its April 14, 2021 meeting sent a Favorable recommendation to the Common Council by a vote of nine (9) 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 shown in Exhibit A, to PUD-M.

**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 plans, and illustrative architectural exhibits 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 **19th** day of **April**, 2021.

**ORDINANCE NO. 021521D**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 36 ACRES FROM EN TO PUD-M FOR A PROJECT KNOWN AS VILLAS AT FISHERS DISTRICT.**

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

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**SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA** this 19<sup>th</sup> day of April, 2021.

021521D

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

YAY

NAY

ABSTAIN

| YAY                  |                                | NAY                  | ABSTAIN            |
|----------------------|--------------------------------|----------------------|--------------------|
| X <i>[Signature]</i> | Selina Stoller<br>President    |                      |                    |
|                      | David George<br>Vice President |                      | <i>[Signature]</i> |
| X <i>[Signature]</i> | C. Pete Peterson,<br>Member    |                      |                    |
| X <i>[Signature]</i> | John Weingardt,<br>Member      |                      |                    |
| X <i>[Signature]</i> | Cecilia C. Coble,<br>Member    |                      |                    |
| X <i>[Signature]</i> | Brad DeReamer,<br>Member       |                      |                    |
| X <i>[Signature]</i> | Todd Zimmerman,<br>Member      |                      |                    |
|                      | Samantha Delong,<br>Member     | X <i>[Signature]</i> |                    |
|                      | Jocelyn Vare,<br>Member        | X <i>[Signature]</i> |                    |

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the 19th day of April 2021, at 8:00 p.m.

ATTEST: *[Signature]*  
Jennifer L. Kehl, City Clerk

**MAYOR'S APPROVAL**

*[Signature]*  
Scott A. Fadness, Mayor

April 19, 2021  
DATE



**MAYOR'S VETO**

\_\_\_\_\_  
Scott A. Fadness, Mayor

\_\_\_\_\_  
DATE

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, One Municipal Drive, Fishers, Indiana, 46038

"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." Christopher P. Greisl

EXHIBIT A – THE REAL ESTATE IS OUTLINED IN RED



 REAL ESTATE

2021

Villas at Fishers District PUD - Exhibit B



Planning & Zoning Department

City of Fishers

Ordinance: 021521D



## ORDINANCE NO. 021521D

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

#### 1. Declaration

- a. Ordinance No. 021521D (this "Ordinance")
- b. Adopted: 4/19/2021

#### 2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, 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 C**, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development - Mixed Use District (PUD-M) and shall hereafter be known as the "Villas at Fishers District 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 of Area A, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. The standards of the UDO applicable to the *C3 Commercial District* shall apply to the development of Area B, 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

- a. All uses permitted in the *M2 Multi-Family Residential District* shall be permitted in Area A.
- b. All uses permitted in the *C3 Commercial District* shall be permitted in Area B.

### B. Concept Plans

The Concept Plans, attached hereto as **Exhibit D**, are hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with at least one of the Concept Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. *Section 10.2.16.N* shall not apply. If the Director determines that a Development Plan is not substantially consistent with at least one of the Concept Plans (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

**ORDINANCE NO. 021521D**

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 Villas at Fishers District PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

**C. Standards**

**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. The density of the residential area may be up to 10.0 dwelling units per acre.

**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 Area A:

|   |                        |
|---|------------------------|
| <b>1. Minimum Lot Dimensions</b>  |                        |
| 1a. Lot area  | n/a                    |
| 1b. Lot width at building line – standard   | n/a                    |
| 1c. Lot width at building line – corner   | n/a                    |
| 1d. Lot frontage – on public street with access from  | n/a                    |
| <b>2. Minimum Building Setbacks</b>   |                        |
| 2a. Front – local street / other street type  | n/a                    |
| 2b. Front – Internal  | 6'                     |
| 2c. Side  | n/a                    |
| 2d. Rear  | n/a                    |
| 2e. Building separation (min) <sup>1</sup>  | 10'                    |
| 2f. Perimeter building setback – where adjacent to single-family residential <sup>2,3</sup>     | 30'                    |
| 2g. Perimeter building setback – Where not adjacent to single-family residential <sup>2,3</sup> | 15'                    |
| <b>3. Maximum Building Height</b>   |                        |
| 3a. Primary structure   | 45'                    |
| <b>4. Building Floor Area</b>   |                        |
| 4a. Living unit area (min) – 1-bedroom / 2-bedroom / 3 or more-bedroom                          | 700 / 1,000 / 1,250 sf |
| <b>5. Other</b>   |                        |
| 5a. Requires municipal water and sewer hookup   |                        |
| 5b. Impervious area of lot (max) <sup>4</sup>   | 80%                    |

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Notes:

1. Shall not apply to Accessory Structures.
2. If the trail area is dedicated to the City then the perimeter building setback may be measured from the property line in existence at the time of this PUD Ordinance's approval as generally shown with the red line on the Concept Plan.
3. Additional buffer yard requirements may apply. Buffer yards may be provided within, and not in addition to, the required setback.
4. Even if dedicated to the City, the trail area will count as pervious area toward this calculation.



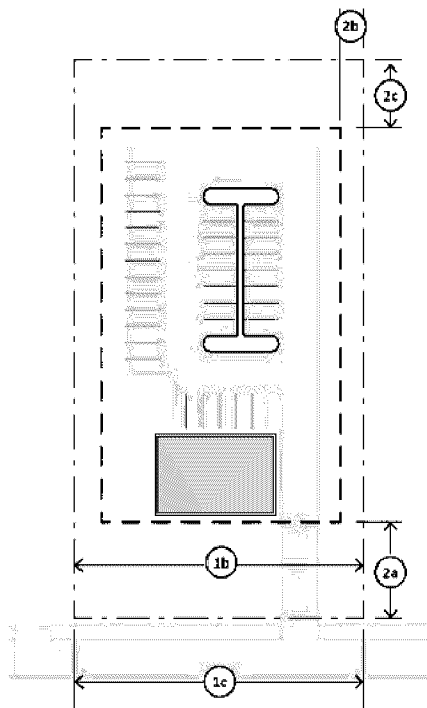


**ORDINANCE NO. 021521D**

**c. Article 3.3. Nonresidential Districts:** Shall apply, except as modified below:

(1) *Sec 3.3.3. C3 Commercial District:* Shall not apply. Instead the following shall apply to Area B:

|  |           |
|--|-----------|
| <b>1. Minimum Lot Dimensions</b>   |           |
| 1a. Lot area   | n/a       |
| 1b. Lot width  | n/a       |
| 1c. Lot frontage   | 200'      |
| <b>2. Minimum Building Setbacks</b>  |           |
| 2a. Front <sup>1</sup>   | 20'       |
| 2b. Side <sup>1</sup> / aggregate  | 10' / 20' |
| 2c. Rear <sup>1</sup>  | 20'       |
| 2d. Internal   | Zero      |
| <b>3. Maximum Building Height</b>  |           |
| 3a. Primary structure  | 75'       |
| 3b. Adjacent to residential zones or uses  | 75'       |
| <b>4. Building Floor Area</b>  |           |
| 4a. Main Floor Area (min)  | n/a       |
| <b>5. Other</b>  |           |
| 5a. Requires municipal water and sewer hookup  |           |
| 5b. Impervious area of lot (max) <sup>2</sup>  | 80%       |
| Notes:   |           |
| 1. Additional buffer yard requirements may apply. Buffer yards may be provided within, and not in addition to, the required setback. |           |
| 2. Even if dedicated to the City, the trail area will count as pervious area toward this calculation.                                |           |



**d. Article 3.4. Other Districts:** Shall apply.

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### 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 6.2.4.A. Common Community Structures:* Shall apply, except that management offices and detached garages may be located substantially consistent with the Concept Plan.

(4) *Sec 6.2.4.B. Common Community Structures:* Shall apply, except that cluster mailboxes may be incorporated into the clubhouse building, in which case, no stand-alone shelter shall be required.

(5) *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 vinyl-fenced backyard of each residential dwelling unit or may be placed on the fenced front porch of each townhome. If placed elsewhere on the site, a matching vinyl fence detail shall be allowed.

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

(1) The following shall apply to Area A: The Illustrative Architectural Exhibit, attached hereto as **Exhibit E**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the buildings in Area A. The final building designs may vary from the Illustrative Architectural Exhibit; however, the buildings shall be substantially similar in quality and character to the buildings shown in the Illustrative Architectural Exhibit.

(2) The following shall apply to Area B: The location and architecture of buildings located in Area B, as shown on the Concept Plan, each shall be reviewed and approved by the PUD Committee, pursuant to Article 10.A of this Ordinance, prior to the issuance of a building permit for each building, respectively. Additionally,

a) The following materials shall be permitted: composite wood materials, steel, aluminum, metal, precast concrete, stone, and porcelain/ceramic tile, masonry, EIFS.

b) LED lighting or tubing shall be an acceptable feature for building trim or accent areas.

c) All mechanicals shall be located and screened to minimize visibility from the Real Estate's property line and adjacent Rights-of-Way at the grade of the site.

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

**e. Article 6.5. Exterior Lighting Standards:** Shall apply, except light fixtures within parking and vehicular areas may be no higher than 20 feet.

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

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

(1) *Sec 6.7.4. Buffer Yards:* Shall not apply, instead the following shall apply:

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- a) Walnut Hills Buffer: a buffer shall be installed in the area as approximately shown on **Exhibit F**. The buffer area shall include the following:
    - i. a tree preservation easement (the “Tree Preservation Easement”) between the Walnut Hills’ property line and the sewer easement, adjacent to 11034 Timberview Drive, 11154 Timberview Drive and 11166 Timberview Drive, as shown on **Exhibit F**;
    - ii. removal of all other trees and understory;
    - iii. replacement of the gravel with grass;
    - iv. a minimum 6’ tall solid wood-grained, wood-colored vinyl fence (the “Fence”) along the east edge of the sanitary sewer easement;
    - v. additional evergreen trees (minimum 6’ tall at planting) shall be planted along the entire length of the buffer between the Walnut Hills’ property line and the sewer easement at a rate of up to 6 trees per 100’ with the exact number and location of trees to be determined by a licensed arborist to maximize the survival of the existing and new trees.
  - b) Fence Upkeep and Maintenance: The Real Estate’s owner shall upkeep and maintain both sides of the Fence within the buffer no less frequently than once per year.
  - c) Fence Extensions along South boundary of the Real Estate: The Fence shall be extended along the Real Estate’s south boundary as approximately shown on **Exhibit F**.
  - d) Where the Fence ends at the north edge of the Walnut Hills Buffer, the Fence shall be extended east to the Walnut Hills property line.
  - e) Highpoint Ridge Buffer: a 25’-30’-wide buffer shall be installed in the area as approximately shown on **Exhibit F**. The buffer area shall include the following:
    - i. the Fence with gate access in the locations as approximately shown on **Exhibit F**; and
    - ii. evergreen trees (minimum 6’ tall at planting) shall be planted on the east side of the Fence at a rate of 6 trees per 100’.
  - f) Buffer yards may be provided within, and not in addition to, the required setback.
  - g) The buffer yard improvements described above, in this subsection C.6.g(1), shall be located outside the existing sanitary sewer easement unless the City otherwise approves.
- (2) Tree Preservation Easement: The Tree Preservation Easement shall be recorded. Within the Tree Preservation Easement, no trees with a diameter at breast height (“DBH”) in excess of six inches (6”) or evergreens eight feet (8’) or more in height (the “Protected Trees”) shall be removed unless the tree is damaged, diseased, dead, classified as an invasive plant species, is required to be removed in order to comply with safety requirements of any governmental agency, or is required to be removed to accommodate road extensions, utility extensions, utility access, drainage improvements, or other infrastructure (including, but not limited to, fencing). If a Protected Tree is damaged or otherwise removed by the owner of the Real Estate, except as permitted to be removed as listed above, then the owner of the Real Estate shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH subject to the availability of space for their healthy growth.
- (3) *Sec 6.7.5. Lot & Foundation Plantings*: Shall not apply to Area A.
- h. **Article 6.8. Lot Standards**: Shall apply, except as modified by this Ordinance.
  - i. **Article 6.9. Non-Residential Open Space**: Shall apply, except as modified below:

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(1) *Sec 6.9.2. Minimum Open Space*: Shall apply, except that the Minimum Open Space Required shall be no less than 7.5% for Area B. Even if dedicated to the City, the trail area will count toward this calculation.

- j. **Article 6.10. Outdoor Display & Storage Standards**: Shall apply.
- k. **Article 6.11. Parking & Loading Standards**: Shall apply, except as modified below:
  - (1) *Sec 6.11.2. Applicability; Minimum Required Parking*: Shall apply, except that the overall parking ratio for Area A shall be allowed to be no less than 2.3 spaces per unit.
- 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 to Area B but shall not apply to Area A.
- 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, except as modified below:
  - (1) *Sec 6.18.2.F.2. Walls & Fences; Proximity to Lakes, Ponds, or Waterways*: Shall not 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, except as modified below:
  - (1) *Sec 8.2.2.C. Anti-Monotony; Anti-monotony Code*: Shall not apply.
- c. **Article 8.3. Street & Alley Standards**: Shall apply.
- d. **Article 8.4. Open Space, Common Area & Amenity Standards**: Shall apply. Additionally, even if dedicated to the City, the trail area will count toward this calculation.
- e. **Article 8.5. Other Design Standards**: Shall apply, except as modified below:
  - (1) *Sec 8.5.5.B.1. Storm Water; Cross Reference; City*: Shall apply, except that a 28' setback from the top of bank of the detention pond shall be allowed.

### 9. Floodplain Standards

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

### 10. Procedures & Permits

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply, except as modified below:

- a. If *applicable*: (1) the location and architecture of buildings within Area B shall be assigned to the City's general PUD Committee (the "Committee") for review and approval; and (2) prior to the Committee's review, the Mayor or Mayor's Designee shall review each building's preliminary architectural plan (e.g., elevations, roof plan, floor plan, and rendering) and approve such plan based upon compliance with the development and design standards set forth herein.

## **ORDINANCE NO. 021521D**

- b.** The Committee, if applicable, and the Mayor or Mayor's Designee shall have discretion and flexibility to consider and approve modifications pertaining to any development and design standards established or referenced by this Ordinance if the Committee or Mayor or Mayor's Designee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

### **11. Enforcement & Penalties**

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

### **12. Definitions**

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

**ORDINANCE NO. 021521D**

**Exhibit C – Real Estate**

LAND DESCRIPTION (SURVEYED PARCEL)

A PART OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 5 EAST, HAMILTON COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #9700013 OF HAMILTON DESIGNS FOR PROJECT # 2020-231 ON SEP 11, 2020, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 24 MINUTES 25 SECONDS WEST (BASIS OF BEARINGS - INDIANA STATE PLANE EAST) 1680.42 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 12 SECONDS WEST 1320.69 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00 DEGREES 13 MINUTES 33 SECONDS WEST 269.84 FEET TO THE PERIMETER OF WALNUT HILLS (AMENDED), THE PLAT THEREOF RECORDED AS INST# 99-32817 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE ALONG SAID PERIMETER THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS WEST 0.42 FEET ; THENCE CONTINUING ALONG SAID PERIMETER SOUTH 00 DEGREES 20 MINUTES 23 SECONDS WEST 1048.12 FEET ; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 959.44 FEET ; THENCE NORTH 00 DEGREES 29 MINUTES 08 SECONDS EAST 540.54 FEET ; THENCE SOUTH 88 DEGREES 25 MINUTES 37 SECONDS EAST 413.54 FEET ; THENCE NORTH 00 DEGREES 16 MINUTES 44 SECONDS EAST 766.07 FEET ; THENCE NORTH 88 DEGREES 25 MINUTES 37 SECONDS WEST 528.15 FEET TO THE EASTERLY RIGHT OF WAY OF USA PARKWAY ; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING NINE (9) CALLS:

- 1) THENCE 185.36 FEET ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 1150.00 FEET, SUBTENDED BY A CHORD BEARING OF NORTH 02 DEGREES 26 MINUTES 35 SECONDS WEST AND A CHORD DISTANCE OF 185.16;
- 2) THENCE NORTH 83 DEGREES 06 MINUTES 40 SECONDS EAST 20.91 FEET;
- 3) THENCE NORTH 05 DEGREES 59 MINUTES 20 SECONDS WEST 133.88 FEET;
- 4) THENCE NORTH 13 DEGREES 50 MINUTES 52 SECONDS WEST 126.93 FEET;
- 5) THENCE NORTH 40 DEGREES 14 MINUTES 12 SECONDS EAST 70.64 FEET;
- 6) THENCE NORTH 69 DEGREES 02 MINUTES 15 SECONDS EAST 25.00 FEET;
- 7) THENCE NORTH 20 DEGREES 57 MINUTES 45 SECONDS WEST 8.00 FEET;
- 8) THENCE NORTH 69 DEGREES 02 MINUTES 15 SECONDS EAST 42.42 FEET;
- 9) THENCE 274.39 FEET ALONG A CURVE A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 385.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 48 DEGREES 37 MINUTES 14 SECONDS EAST AND A CHORD DISTANCE OF 268.62 TO THE PERIMETER OF THE FISHERS DISTRICT, THE PLAT THEREOF RECORDED AS INST# 2018-021156 IN SAID RECORDER'S OFFICE; THENCE ALONG THE PERIMETER OF SAID PLAT THENCE SOUTH 00 DEGREES 17 MINUTES 43 SECONDS WEST 129.29 FEET ; THENCE CONTINUING ALONG THE PERIMETER OF SAID PLAT NORTH 88 DEGREES 39 MINUTES 02 SECONDS EAST 801.23 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 35 SECONDS WEST 588.35 FEET TO THE POINT OF BEGINNING; CONTAINING 36.00 ACRES, MORE OR LESS.

## **ORDINANCE NO. 021521D**

### LAND DESCRIPTION, RESIDENTIAL AREAS

A PART OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 5 EAST, HAMILTON COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #9700013 OF HAMILTON DESIGNS FOR PROJECT # 2020-231 ON SEPTEMBER 11, 2020, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 24 MINUTES 25 SECONDS WEST (BASIS OF BEARINGS - INDIANA STATE PLANE EAST) 1680.42 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 12 SECONDS WEST 1320.69 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL; THENCE SOUTH 00 DEGREES 13 MINUTES 33 SECONDS WEST 269.84 FEET TO THE PERIMETER OF WALNUT HILLS (AMENDED), THE PLAT THEREOF RECORDED AS INST# 99-32817 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA; THENCE ALONG SAID PERIMETER, THENCE NORTH 89 DEGREES 19 MINUTES 32 SECONDS WEST 0.42 FEET; THENCE CONTINUING ALONG SAID PERIMETER SOUTH 00 DEGREES 20 MINUTES 23 SECONDS WEST 1048.12 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 959.44 FEET; THENCE NORTH 00 DEGREES 29 MINUTES 08 SECONDS EAST 540.54 FEET; THENCE SOUTH 88 DEGREES 25 MINUTES 50 SECONDS EAST 413.54 FEET; THENCE NORTH 00 DEGREES 16 MINUTES 44 SECONDS EAST 766.07 FEET; THENCE SOUTH 89 DEGREES 46 MINUTES 27 SECONDS EAST 242.84 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 14 SECONDS EAST 604.86 FEET TO THE SOUTH LINE OF LOT 5 OF FISHERS DISTRICT AS RECORDED AS INSTRUMENT # 2018021156 AS RECORDED IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY; THENCE NORTH 88 DEGREES 39 MINUTES 02 SECONDS EAST ON AND ALONG THE SOUTH LINE OF SAID LOT 302.50 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 35 SECONDS WEST 588.35 FEET TO THE POINT OF BEGINNING OF THIS DESCRIBED PARCEL, CONTAINING 25.50 ACRES MORE OR LESS.

### LAND DESCRIPTION, COMMERCIAL PARCEL

A PART OF SECTION 6, TOWNSHIP 17 NORTH, RANGE 5 EAST, HAMILTON COUNTY, INDIANA, PREPARED BY TERRY D. WRIGHT, PS #9700013 OF HAMILTON DESIGNS FOR PROJECT # 2020-231 ON SEP 11, 2020, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 24 MINUTES 25 SECONDS WEST (BASIS OF BEARINGS - INDIANA STATE PLANE EAST) 1680.42 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 12 SECONDS WEST 1320.69 FEET; THENCE SOUTH 00 DEGREES 13 MINUTES 33 SECONDS WEST 24.83 FEET; THENCE NORTH 89 DEGREES 46 MINUTES 27 SECONDS WEST 302.50 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 46 MINUTES 27 SECONDS WEST 242.84 FEET; THENCE NORTH 88 DEGREES 25 MINUTES 37 SECONDS WEST 528.15 FEET TO THE EASTERLY RIGHT OF WAY OF USA PARKWAY; THENCE ALONG SAID RIGHT OF WAY THE FOLLOWING NINE (9) CALLS: 1) THENCE 185.36 FEET ALONG A NON-TANGENT CURVE TURNING TO THE LEFT WITH A RADIUS OF 1150.00 FEET, SUBTENDED BY A CHORD BEARING OF NORTH 02 DEGREES 26 MINUTES 35 SECONDS WEST AND A CHORD DISTANCE OF 185.16; 2) THENCE NORTH 83 DEGREES 06 MINUTES 40 SECONDS EAST 20.91 FEET; 3) THENCE NORTH 05 DEGREES 59 MINUTES 20 SECONDS WEST 133.88 FEET; 4) THENCE NORTH 13 DEGREES 50 MINUTES 52 SECONDS WEST 126.93 FEET; 5) THENCE NORTH 40 DEGREES 14 MINUTES 12 SECONDS EAST 70.64 FEET; 6) THENCE NORTH 69 DEGREES 02 MINUTES 15 SECONDS EAST 25.00 FEET; 7) THENCE NORTH 20 DEGREES 57 MINUTES 45 SECONDS WEST 8.00 FEET;

**ORDINANCE NO. 021521D**

8) THENCE NORTH 69 DEGREES 02 MINUTES 15 SECONDS EAST 42.42 FEET ; 9) THENCE 274.39 FEET ALONG A CURVE A TANGENT CURVE TO THE LEFT WITH A RADIUS OF 385.00 FEET, BEING SUBTENDED BY A CHORD BEARING OF NORTH 48 DEGREES 37 MINUTES 14 SECONDS EAST AND A CHORD DISTANCE OF 268.62 TO THE PERIMETER OF THE FISHERS DISTRICT, THE PLAT THEREOF RECORDED AS INST# 2018-021156 IN SAID RECORDER'S OFFICE; THENCE ALONG THE PERIMETER OF SAID PLAT THENCE SOUTH 00 DEGREES 17 MINUTES 43 SECONDS WEST 129.29 FEET ; THENCE CONTINUING ALONG THE PERIMETER OF SAID PLAT NORTH 88 DEGREES 39 MINUTES 02 SECONDS EAST 498.73 FEET; THENCE SOUTH 00 DEGREES 14 MINUTES 14 SECONDS WEST 604.86 FEET TO THE POINT OF BEGINNING; CONTAINING 10.50 ACRES MORE OR LESS.



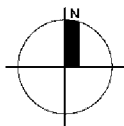
Exhibit D – Concept Plans

Area B

Area A



Exhibit D – Concept Plans (Area B), Continued



USE KEY

- A - RETAIL/OFFICE
- B - RETAIL/OFFICE/HOTEL
- C - RESIDENTIAL
- D - RESIDENTIAL/GARAGE

0 70' 140' 280'



SCALE: 1" = 140'

OPTION 1  
09.18.20  
20064



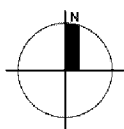
**Fishers Annex**  
Commercial Area  
Fishers, Indiana



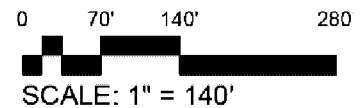
Butler Design Group, Inc.  
architects & planners

All curb cuts and median cuts are to be reviewed through the technical review and permitting process.

Exhibit D – Concept Plans (Area B), Continued



- USE KEY**
- A - RETAIL/OFFICE
  - B - RETAIL/OFFICE
  - C - RESIDENTIAL/HOTEL
  - D - RESIDENTIAL
  - E - GARAGE/RETAIL/OFFICE/FITNESS
  - F - GARAGE/RETAIL/OFFICE/FITNESS
  - G - GARAGE/RETAIL/OFFICE/FITNESS



OPTION 2  
09.18.20  
20064



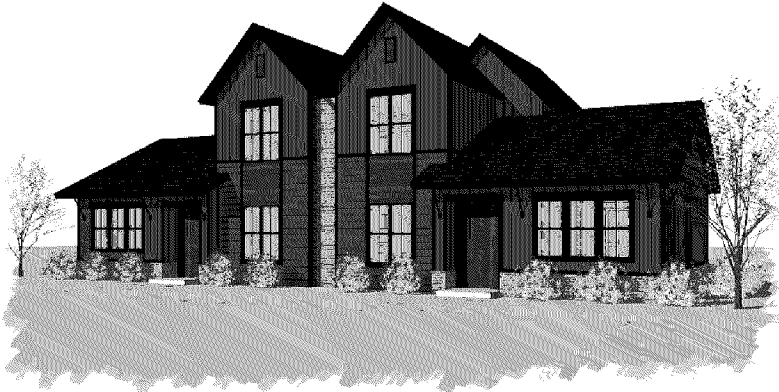
**Fishers Annex**  
Commercial Area  
Fishers, Indiana



All curb cuts and median cuts are to be reviewed through the technical review and permitting process.

Exhibit E – Illustrative Architectural Exhibit

**PAIRED VILLAS**



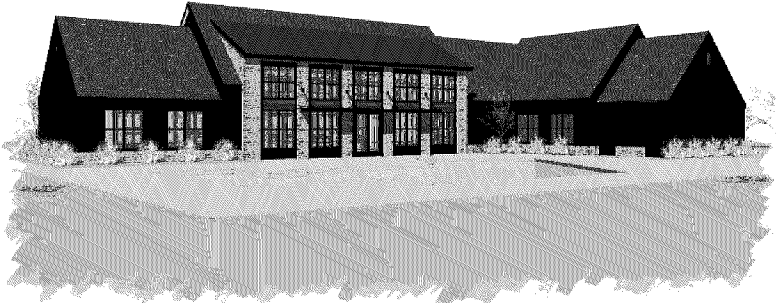
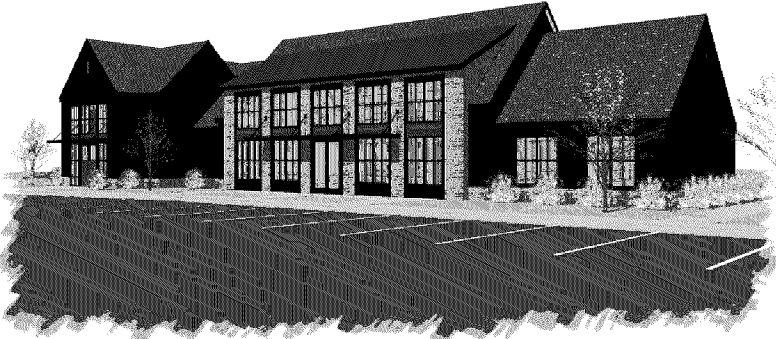
**Exhibit E – Illustrative Architectural Exhibit, Continued**

**TOWNHOMES**



Exhibit E – Illustrative Architectural Exhibit, Continued

CLUBHOUSE



ORDINANCE NO. 021521D

Exhibit F – Buffer Yard Exhibit

