### **ORDINANCE NO. 100713**

### Cross Reference:

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, AS IS HEREBY AMENDED AS FOLLOWS:

# **SECTION 1. DECLARATION**

That the text of the zoning ordinance of the Town of Fishers, Hamilton County, Indiana, Ordinance No. 090391A and the Official Zoning Map, Town of Fishers, Indiana, which accompanies and is part of the Zoning Code of the Town of Fishers, Indiana, as amended, are hereby amended as outlined within this ordinance.

### **SECTION 2. PURPOSE AND INTENT**

This ordinance acknowledges that the Saxony PUD exists at the time of approval of this ordinance. This ordinance is intended to amend and expand the language of the existing Saxony PUD regarding Projecting Signs and Pedestrian Blade Signs. This ordinance shall effect no change to the existing Saxony PUD unless those changes are explicitly outlined within this ordinance.

### **SECTION 3. ZONING**

The zoning classification of the subject property, the entire Saxony PUD area, legally described in what is attached hereto and incorporated herein referenced as Exhibit A (the "Real Estate"), shall remain PUD-M as previously approved by the Town.

### **SECTION 4. DEVELOPMENT STANDARDS**

This ordinance replaces the current Table 1 of Exhibit C of the Development Standards Matrix in the Saxony PUD with those included as Exhibit B to this ordinance, and amends page 30 of the Saxony Development Patterns and Design Guidelines. Nothing in this ordinance shall change or alter any of the already established development standards at the time of approval of this ordinance unless otherwise identified in this PUD ordinance.

### **SECTION 5. LAND USE**

Nothing in this ordinance shall change or alter any of the already permitted land uses at the time of approval of this ordinance unless otherwise identified in this PUD ordinance.

### SECTION 6. PROCEDURES AND APPROVALS

| The Plan Commission of the Town of Fishers has conducted a public hearing as required by law on Application Docket No.12-TA-13 as filed by law in regard to the application for a text amendment to the Saxony PUD filed by Interstate Holdings LLC.     |  |  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|--|--|
| The Plan Commission at its meeting sent its favorable recommendation to the Town of Fishers Town (the "Common Council") by a vote of in favor and opposed.   |  |  |  |  |  |  |  |  |
| Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Town Council of the Town of Fishers on this day of, 2013.  |  |  |  |  |  |  |  |  |
| Be it now ordained by the Town Council of the Town of Fishers, Hamilton County, Indiana, meeting in regular session, that the Saxony PUD be hereby amended and this ordinance shall be in full force and effect from and after its passage and approval. |  |  |  |  |  |  |  |  |
| TOWN COUNCIL OF THE TOWN OF FISHERS,<br>HAMILTON COUNTY, INDIANA   |  |  |  |  |  |  |  |  |
| NAY  |  |  |  |  |  |  |  |  |
| John W. Weingardt, President   |  |  |  |  |  |  |  |  |
| C. Pete Peterson, Vice President Scott A. Faultless  |  |  |  |  |  |  |  |  |
| Scott A. Faultless,  Member  Stuart F. Fasley  |  |  |  |  |  |  |  |  |
| Stuart F. Easley, Member   |  |  |  |  |  |  |  |  |
| David C. George,  Member   |  |  |  |  |  |  |  |  |
| Michael L. Colby, Member   |  |  |  |  |  |  |  |  |
| Renee L. Cox, Member   |  |  |  |  |  |  |  |  |
| ATTEST: Januar Januar Condell, Clerk-Treasurer DATE: 12/16/13  |  |  |  |  |  |  |  |  |

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

Town of Fishers, Indiana

# EXHIBIT A LEGAL DESCRIPTION

### LEGAL DESCRIPTION

A part of the Northeast, Northwest and Southeast Quarters of Section 26, part of the Southwest Quarter of Section 23, part of the Northwest Quarter of Section 25 and part of the Southwest Quarter of Section 24, all in Township 28 North, Range 5 East, in Hamilton County, Indiana, being described as follows:

BEGINNING at the southwest corner of the Southwest Quarter of said Section 24 thence North 89 degrees 36 minutes 25 seconds East (assumed basis of bearings) along the south line of said Southwest Quarter of Section 24 a distance of 91.64 feet to the southwest corner of Parcel 6A as described in Instrument Number 2010049755 on file in the Office of the Recorder of Hamilton County, Indiana being the POINT OF BEGINNING; thence North 01 degree 30 minutes 21 seconds East along the west line of said Parcel 6A 100.04 feet to the northwest corner thereof and a southwest corner of the tract of land conveyed to Olio 238 Partners, LLC in Instrument Number 2009074858, on file in the Office of said Recorder; thence North 00 degrees 11 minutes 57 seconds West along the west line of said Olio 238 Partners, LLC tract 150.60 feet to the southwest corner of Parcel 3 as described in an unrecorded exhibit dated March 5, 2008 (said exhibit depicts Parcel 3 as permanent right-of-way at the southeast corner of Olio Road and State Road 238), the following four (4) courses are along the west and north lines of said Parcel 3; 1)thence North 31 degrees 12 minutes 58 seconds East 29.12 feet; 2)thence North 70 degrees 59 minutes 01 seconds East 67.21 feet; 3)thence North 77 degrees 46 minutes 50 seconds East 60.72 feet; 4)thence North 88 degrees 47 minutes 45 seconds East 70.07 feet to the north line of said Olio 238 Partners, LLC tract and the point of curve of a non-tangent curve concave to the south, having a radius of 1,849.86 feet, the radius point of which bears South 07 degrees 38 minutes 44 seconds West, the following two (2) courses are along the north and east lines of said Olio 238 Partners, LLC tract; 1)thence easterly along said curve 33.22 feet to a point that bears North 08 degrees 40 minutes 28 seconds East from said radius point; 2)thence South 12 degrees 59 minutes 36 seconds West 2.26 feet to the south right-of-way line of State Road 238 and the point of curve of a nontangent curve concave to the south, having a radius of 1,849.86 feet, the radius point of which bears South 09 degrees 03 minutes 09 seconds West, the following eight (8) courses are along said south right-of-way line; 1)thence easterly along said curve 197.40 feet to a point that bears North 15 degrees 09 minutes 59 seconds East from said radius point; 2)thence South 68 degrees 50 minutes 01 second East 386.73 feet; 3)thence South 60 degrees 30 minutes 37 seconds East 149.97 feet; 4)thence South 64 degrees 30 minutes 47 seconds East 99.90 feet; 5)thence South 64 degrees 30 minutes 47 seconds East 37.30 feet; 6)thence South 82 degrees 59 minutes 02 seconds East 1.70 feet; 7)thence South 70 degrees 27 minutes 01 second East 60.31 feet; 8)thence South 56 degrees 17 minutes 35 seconds East 146.56 feet to the east line of the Northwest Quarter of said Northwest Quarter of Section 25; thence South 00 degrees 12 minutes 34 seconds East along said east line 1,211.12 feet to the southeast corner of said Northwest Quarter of the Northwest Quarter; thence South 89 degrees 34 minutes 22 seconds West along the south line of said Northwest Quarter of the Northwest Quarter 1,321.88 feet to the southwest corner thereof; thence South 00 degrees 13 minutes 39 seconds East along the east line of the Northeast Quarter of said Section 26 a distance of 1330.83 feet to the

southeast corner thereof; thence South 00 degrees 14 minutes 24 seconds East along the east line of the Southeast Quarter of said Section 26 a distance of 1331.00 feet to the extension of the south line of Saxony – Section 2, recorded as Instrument Number 200400041306, on file in the Office of said Recorder; thence South 89 degrees 17 minutes 39 seconds West along said south line and its extension and the south line of Saxony – Phase 4, recorded as Instrument Number 200600061767, on file in the Office of said Recorder 2,635.15 feet to the west line of the Southeast Quarter of said Section 26; thence North 00 degrees 17 minutes 20 seconds West along said west line 1,331.07 feet to the northwest corner of said Southeast Quarter; thence North 00 degrees 09 minutes 13 seconds West along the west line of the Northeast Quarter of said Section 750.76 feet to the extension of the north line of 131st Street as defined in Instrument Number 200400064440, on file in the Office of said Recorder; thence South 89 degrees 25 minutes 25 seconds West along said north line and its extension 418.59 feet to the extension of the east line of the Playschool at Saxony, recorded as Instrument Number 2007027532 on file in the Office of said Recorder; thence South 00 degrees 12 minutes 11 seconds East along said east line and its extension and the east line of Carriage Manor, Section 2, recorded as Instrument Number 200600058127, on file in the Office of said Recorder, and its extension 750.94 feet to the south line of said Carriage Manor, Section 2; thence South 89 degrees 23 minutes 51 seconds West along the said south line and the south line of Carriage Manor, Section 1, recorded as Instrument Number 2005000065787, on file in the Office of said Recorder 894.74 feet to the southwest corner of said Carriage Manor, Section 1; thence North 00 degrees 14 minutes 52 seconds West along the west line of said Carriage Manor, Section 1 and its extension and the west line of Parcel 1 as described in Instrument Number 9809865682, on file in the Office of said Recorder 1332.33 feet to the south line of the North Half of said Northwest Quarter; thence South 89 degrees 25 minutes 47 seconds West along said south line, a distance of 657.42 feet to the west line of said Parcel 1; thence North 00 degrees 17 minutes 43 seconds West along said west line, a distance of 1,332.68 feet to the north line of said Northwest Quarter; thence South 89 degrees 27 minutes 40 seconds West along said north line, a distance of 33.94 feet to the southeast right-of-way line of State Road I-69, the following two (2) courses are along said southeast right-of-way line; 1)thence North 58 degrees 12 minutes 36 seconds East, a distance of 435.41 feet to the point of curve of a curve concave to the southeast having a radius of 7,683.45 feet, the radius point of which bears South 31 degrees 47 minutes 24 seconds East; 2)thence northeasterly along said curve 372.79 feet to the northwest corner of Block 1 in Saxony Medical Park, recorded as Instrument Number 2009064869, on file in the Office of said Recorder which bears North 29 degrees 00 minutes 36 seconds West from said radius point, the following ten (10) courses are along the north lines of Blocks 1 and 2 in said Saxony Medical Park and the north and east lines of Parcel #4 as described in Instrument Number 2009053581, on file in the Office of said Recorder; 1) thence continuing northeasterly along said curve 831.88 feet to a point which bears North 22 degrees 48 minutes 24 seconds West from said radius point; 2)thence North 72 degrees 48 minutes 44 seconds East 671.74 feet to the point of a non-tangent curve concave to the south having a radius of 1,362.04 feet, the radius point of which bears South 12 degrees 11 minutes 18 seconds East; 3)thence easterly along said curve 618.24 feet to point which bears North 13 degrees 49 minutes 07 seconds East from said radius point; 4)thence South 66 degrees 59 minutes 15 seconds

East 363.27 feet to the point of a non-tangent curve concave to the north having a radius of 587.47 feet, the radius point of which bears North 08 degrees 54 minutes 13 seconds East; 5)thence easterly along said curve 414.53 feet to point which bears South 31 degrees 31 minutes 31 seconds East from said radius point; 6)thence North 57 degrees 41 minutes 50 seconds East 16.11 feet; 7)thence South 59 degrees 16 minutes 56 seconds East 655.63 feet to the point of a non-tangent curve concave to the north having a radius of 1,697.02 feet, the radius point of which bears North 26 degrees 45 minutes 48 seconds East; 8)thence easterly along said curve 568.58 feet to point which bears South 07 degrees 34 minutes 00 seconds West from said radius point; 9)thence South 57 degrees 30 minutes 32 seconds East 37.37 feet; 10)thence South 00 degrees 07 minutes 30 seconds East 346.07 feet to the north line of the Northeast Quarter of said Section 26; thence South 89 degrees 19 minutes 22 seconds West along said north line 99.67 feet to the extension of the east line of the tract of land described in Instrument Number 2007037136, and the east line of the 10.066-acre tract of land described in Instrument Number 2006074222, both on file in the Office of said Recorder; thence South 00 degrees 13 minutes 25 seconds East along the east lines of said tracts and their extensions 429.00 feet; thence North 89 degrees 19 minutes 22 seconds East along the north line of said 10.066-acre tract, a distance of 165.00 feet to the east line of said Northeast Quarter of Section 26; thence North 00 degrees 13 minutes 25 seconds West along said east line 429.00 feet to the POINT OF BEGINNING.

### **EXCEPT**

The land included in the secondary plat of Saxony Bonn Building recorded as Instrument Number 2007041719 on file in the Office of the Recorder of Hamilton County, Indiana.

### ALSO EXCEPT

The land included in the secondary plat of Hannover on the Green recorded as Instrument Number 200400085710 on file in the Office of the Recorder of Hamilton County, Indiana.

### ALSO EXCEPT

The land included in the secondary plat of Saxony – Section 1A recorded as Instrument Number 200300095504 on file in the Office of the Recorder of Hamilton County, Indiana.

### ALSO EXCEPT

Part of the Northeast Quarter of Section 26, Township 18 North, Range 5 East, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of said Northeast Quarter; thence South 00 degrees 13 minutes 20 seconds East along the east line of said Northeast Quarter a distance of 1182.20 feet; thence North 89 degrees 59 minutes 58 seconds West a distance of 60.00

feet to the west right-of-way line of Olio Road and the Point of Beginning; thence continuing North 89 degrees 59 minutes 58 seconds West along the north line of said land a distance of 325.53 feet; thence North 00 degrees 00 minutes 02 seconds East a distance of 172.49 feet; thence North 89 degrees 19 minutes 21 seconds East a distance of 270.48 feet; thence South 45 degree 26 minutes 59 seconds East a distance of 76.62 feet to said west right-of-way line of Olio Road; thence South 00 degrees 13 minutes 20 seconds East along said west line a distance of 121.95 feet to the Point of Beginning.

Containing, after said Exceptions, 432.42 acres, more or less.



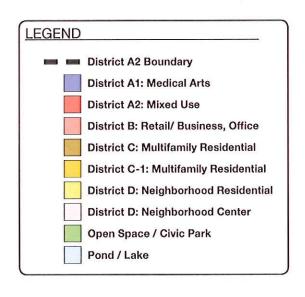




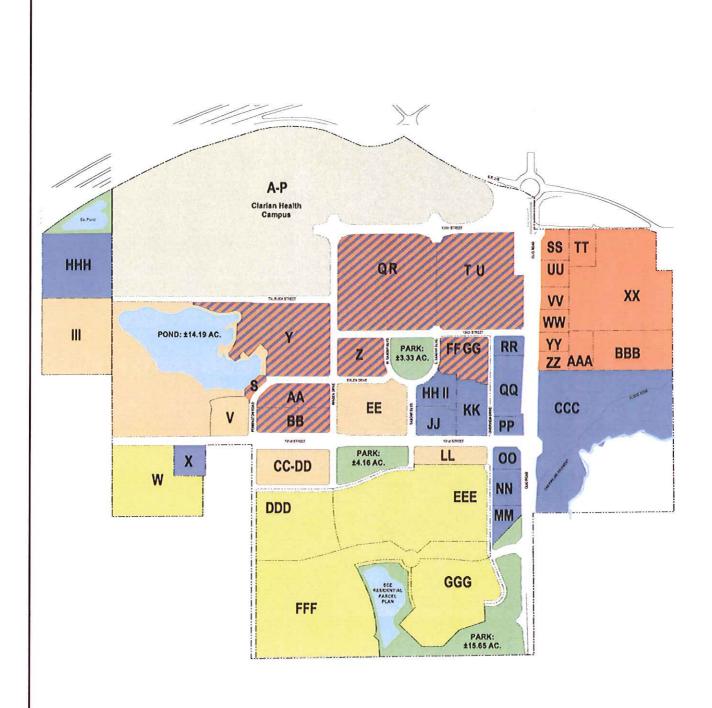
EXHIBIT B: DISTRICT MAP



FISHERS, INDIANA







### LEGEND:

| Multi-Family Residential

📙 Single Family / Duplex Residential

III Park

III Mixed Use: Retail, Office, and/or Townhomes

Health Campus

Multifamily or Office

SITE DATA:

SITE DATA:
Parcel Use
AP Clarian Health Campus
OR Mixed Use
Copen Space
TU Mixed Use
White Family Residential
W Carriage Manor
X Playschool
Y Mixed Use
AM Mixed Use
AM Mixed Use
Mixed Us

Gross Area SOLD ±19.14 Ac. ±0.47 Ac. ±16.03 Ac. ±2.95 Ac. SOLD SOLD ±13.13 Ac. ±3.69 Ac. ±3.69 Ac. ±3.76 Ac. ±5.23 Ac.

Use Hanover on the Green Mixed Use Office Born Building Office 131 Townhorses Parcel
EE
FFGG
HHII
JJ
KX
UL
MM
NN
OO
PP
OO
RR
SS
TT

131 Townhomes
Office
Office
Office
Office
Wesleyan Headquarters
Star Bank
Retail

Gross Area SOLD ±4.41 Ac. ±2.46 Ac. SOLD ±3.71 Ac. SOLD ±1.45 Ac. ±2.12 Ac. ±1.27 Ac. ±1.02 Ac. SOLD SOLD SOLD ±1.72 Ac. ±2.04 Ac.

Parcel
UU
VV
WW
XX
YY
ZZ
AAA
BBB
CCC
DDD
EEE
FFF
GGG
HITH
II

Use
Retail
The Heritage
The Offinges
The Traditions.
The Reserve
Office Gross Area ±1.53Ac ±1.29 Ac ±1.37 Ac ±1.37 Ac ±1.15 Ac ±1.15 Ac ±1.93 Ac ±1.93 Ac ±1.93 Ac SOLD SOLD SOLD SOLD SOLD Office Multi-Family Residential ±9.07Ac. ± 10.74 Ac

REPUBLIC DEVELOPMENT 13578 East 131st. Street Suite 200 Fishers, IN 46037 p: 317.770.1818

This plan is for conceptual planning purposes any. Accoupts, disconsistes, localizes, and uses to by charge with final design and emphasizing.



SAXONY Where life is in rhythm.

A4 6 704

5/2/11

| own of Fishers, Indiana ISTRICTS    |                               |   |                             |   |   | CETRACIZE AND DESTRICTION  | NIC.  |  |   |  | nd Planning: OHM Advi    |
|-------------------------------------|-------------------------------|---|-----------------------------|---|---|--|---|--|---|--|--------------------------|
| se attached Zoning District Map     | DISTRICT DES District Acreage | Permitted<br>Land Uses*                 | Dwelling<br>Units<br>(Max.) | Density   | Open Space<br>Civic/Park<br>(Included in<br>District Acreage) | SETBACKS AND RESTRICTIO  Rear  Yard  (Min.)  | Side<br>Yard<br>(Min.) &  | Lot<br>Width<br>(Single<br>Family)   | Single<br>Family<br>Min. S.F.                                       | Multi-Family<br>Unit<br>Min, S.F.  | Max.<br>Bldg.<br>Hgt.    |
| A-1 Commerce Center<br>Medical Arts | ± 88.1                        | C1, C2, C3,<br>M1, M2                   |                             | NO<br>MAX.  |   | 5' Building<br>5' Parking<br>0' Building & Parking<br>(if abutting another<br>Parking Lot)                       | 0 (Common<br>Wall Allowed)<br>0' Building & Parking<br>(if abutting another<br>Parking Lot)   | _  | _   | 1 Bedroom 650 S.F.<br>2 Bedroom 800 S.F.<br>3 Bedroom 1,000 S.F.   | 105'                     |
| Commerce Center A-2 Mixed Use       | ± 155.1                       | C1, C2, C3,<br>R4. R5, M1, M2<br>(1)    | 1362                        | Residential: No max. ****  Commericial (2): 18,000 sq.ft./ ac. max.     | ± 24.6  | 5' Building 5' Parking 0' Building & Parking (if abutting another Parking Lot) Single Family: 20' Townhouse: 20' | 0 (Common Wall Allowed) 0' Building & Parking (if abutting another Parking Lot) Single Family: 20' Townhouse 0'   | 40' (Min.)<br>With Alley<br>50' Without<br>alley<br>Townhouse 20'                | 1,300 S.F. Single Story 1,600 S.F. Multi-Story 1,000 S.F. Townhouse | Studio 400 S.F<br>1 Bedroom 650 S.F.<br>2 Bedroom 800 S.F.<br>3 Bedroom 1,000 S.F.   | 85'                      |
| Retail/Business<br>B Mixed Use      | ± 66.5                        | C1, C2,<br>C3, M2                       | ***                         | Retail:<br>10,000 S.F.<br>Per Acre<br>If Office:18,000<br>S.F. per acre | ± 10.4  | 20' Building<br>15' Parking<br>If office: 10' Building,<br>10' Parking, 0' if abuts<br>another parking lot       | 5' Building<br>10' Parking<br>If office: 5' Building,<br>10' Parking, 0' if abuts<br>another parking lot  | _  | _   | Same as Commerce<br>Center Residential   | 45'<br>If Office:<br>65' |
| Multi-Family Residential            | ± 13.1                        | R1, R2, R3,<br>R4, R5, M1, M2<br>C1, C2 | 270                         | Office Use Only 12,000 S.F/ Acre Max.  Residential: No max. ****        | _   | Single Family<br>(Individual Lot) 20'<br>Multi-Pamily<br>(Project) 25' №   | Single Family<br>(Individual Lot) 5'<br>Multi-Family<br>(Project) 15'   | 40' (Min.)<br>With Alley<br>50' Without<br>Alley                                 | 1,300 S.F.<br>Single Story<br>1,600 S.F.<br>Multi-Story             | 1 Bedroom 650 S.F.<br>2 Bedroom 800 S.F.<br>3 Bedroom 1,000 S.F.   | 45'                      |
| Multi-Family<br>C1 Residential      | <u>+</u> 13.4                 | R1, R2, R3,<br>R4, R5, M1, M2<br>C1     | 68                          | Office Use Only 12,000 S.F/ Acre Max.  Residential: No max. ****        | —   | Single Family<br>(Individual Lot) 20'<br>Multi-Family<br>(Project) 25'   | Single Family<br>(Individual Lot) 5'<br>Multi-Family<br>(Project) 15'   | 40' (Min.)<br>With Alley<br>50' Without<br>Alley                                 | 1,300 S.F.<br>Single Story<br>1,600 S.F.<br>Multi-Story             | 1 Bedroom 650 S.F.<br>2 Bedroom 800 S.F.<br>3 Bedroom 1,000 S.F.   | 45'                      |
| Neighborhood<br>Center              | ± 5.8                         | C1, C2**,<br>M1, M2                     | (+)                         | 10,000 S.F.<br>Per Acre   |   | 20' Building<br>5' Parking   | 0 (Common<br>Wall Allowed)  |  | _   | Studio 500 S.F<br>1 Bedroom 650 S.F.<br>2 Bedroom 800 S.F.<br>3 Bedroom 1,000 S.F.   | 45'                      |
| Neighborhood<br>D Residential       | ± 96.6                        | R1, R2<br>R3, R4, R5                    | 300                         |   | ± 20.8  | 20' From Property Line or Centerline of Alley  | 5'  | 50' or Smaller<br>up to 30%<br>51'-60'<br>up to 40%<br>61' or Larger<br>30% Min. | 1,300 S.F.<br>Single Story<br>1,600 S.F.<br>Multi-Story             |  | 45'                      |
| over- TOTALACREAGE                  |                               | PROGRAMMENT TO                          |                             |   | <u>+</u> 55.8   |  |   |  |   |  | THE PARTY NAMED IN       |
| all TOTALS (Net)                    | + 439                         |   | 2000                        |   |   |  | Latin Control of State |  |   | O THE RESERVED AND ADDRESS OF THE PARTY OF T |                          |

<sup>\*\*</sup>Permitted Land Uses

For a Detailed explanation of each Land Use/Zoning Classification®, refer to the Town of Fishers Unified Development Ordinance

The code provides specific 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 standards.

(1) Pedestrian-only streets shall be permitted and buildings shall be permitted to have frontage on such streets in lieu of public or private streets.

(2) District A-2 Mixed Use: Commercial Density shall include any combination of retail, office, restaurant, hotel, or related commercial/ service uses, as identified in \*Permitted Land Uses\*.

(+) Up to 75 units can be transferred from other sub-areas to neighborhood center as long as the total unit count reamins the same. Residential units can be placed above groundfloor retail.

\*\*\* Individual Retail Users less than 10,000 S.F. only.

\*\*\* Individual Retail Users less than 10,000 S.F. only.

<sup>\*\*\*</sup> Up to 300 units can be transferred from other sub-areas to sub-area B as long as the total unit count remains the same.

<sup>\*\*\*\*</sup> For Residential density, see dwelling units max.

B Does not apply to spacing between structures for projects with multiple buildings. Actual building separation distances shall be based upon construction type, materials, and State and Local Fire Codes.

NOTE: ALLACREAGES ARE APPROXIMATE AND MAY VARY WITH FINAL ENGINEERING

Neighborhood center located on Pennington Road in District A2 is also subject to the zoning commitments attached. Commitment s to be recorded by Developer within 30 days of approval of this Ordinance.

| SA       | AXONY DEVELO   | DEVELOPMENT STANDARDS MATRIX (PUD-M)   |
|----------|--|--|
|          |  |  |
| Town     | Town of Fishers, Indiana   |  |
| See at   | See attached Zoning District Map   | PARKING Parking Lot Standards (except District D: Neighborhood Residential)  |
| A-1      | Commerce Center<br>Medical Arts  | Commercial:<br>Retail: 1 space per 250 s.f. gross floor area.<br>Restaurant: 1 space per 75 s.f. gross floor area.<br>Office (general & medical): 1 space per 333 s.f. gross floor area  |
|          |  | See shared parking text pg.15 of pattern book. P   |
| A-2      | Commerce Center<br>Mixed Use   | Commercial: Retail: 1 space per 250 s.f. gross floor area. Restaurant: 1 space per 100 s.f. gross floor area. Office (general & medical): 1 space per 333 s.f. gross floor area.   |
|          |  | Residential: Multifamily: 2 space per unit for 2 and 3 bedroom units One-Bedroom Unit or Studio: 1 space per unit Single Family: 2 off street spaces per unit Townhomes: 2 off-street spaces per residence   |
|          |  | See shared parking text pg.15 of pattern book. P   |
| <u>m</u> | Retail/Business<br>Mixed Use   | Commercial: Retail: 1 space per 250 s.f. gross floor area. Restaurant: 1 space per 100 s.f. gross floor area. Office (general & medical): 1 space per 333 s.f. gross floor area.   |
|          |  | Residential:  Multifamily: 2 space per unit for 2 and 3 bedroom units  One-Bedroom Unit or Studio: 1 space per unit  Single Family: 2 off street spaces per unit  Townhomes: 2 off-street spaces per residence  See shared parking text pg. 15 of pattern book. P                          |
| U        | Multi-Family<br>Residential  | Residential: Multifamily: 2 space per unit for 2 and 3 bedroom units One-Bedroom Unit or Studio: 1 space per unit Single Family: 2 off street spaces per unit (including garage or carport) Townhomes: 2 off-street spaces per residence See shared parking text pg.15 of pattern book. P> |
| 5        | Multi-Family<br>Residential  | Residential: Multifamily: 2 space per unit for 2 and 3 bedroom units One-Bedroom Unit or Studio: 1 space per unit Single Family: 2 off street spaces per unit (including garage or carport)  |
|          |  | See shared parking text pg.15 of pattern book.P  |
|          | Neighborhood<br>Center   | Retail/ Commercial: One parking space for each 300 s.f. of gross floor area, but no less than three spaces per use. Residential: 1.5 spaces per unit multifamily, 2 off street spaces per unit for single family. Shared parking may be permitted.   |
| Q        | Neighborhood<br>Residential  | 2 off-street spaces per residence (Excluding Garage)   |
|          | The state of the s | The orde warridge energing and uses and development transforment transforms from lated and amounted and associate normitted land uses and this DIID shall take   |

The code provides specific 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 standards.

Town of Fishers may also give credit for on street parking. All lots should have cross easement parking agreements with neighbors when possible.

Shared Parking Reduction Factor: Uses within district A-1: Commerce Center Medical Arts, and A-2: Commerce Center Mixed Use may utilize the shared parking reduction factor per type of use as follows (see Development Patterns and Design Guidelines for additional information):

Use: Reduired parking by: 24%

Restaurant 19%

Office 28% Within the Mixed-Use District, all required parking may be provided off-site. Off-site parking shall be located within the District or in an immediately adjoining district. The allowance of off-site parking is contingent on the submittal of a parking master plan for the districts affected and approval of the parking master plan by the Town of Fishers Development Department. Any user requesting to utilize off-site parking for its required parking shall demonstrate compliance with the approved parking master plan. The Town of Fishers may require any user to provide a portion of its required parking on-site.

SECTION 1. PURPOSE AND INTENT

This Chart is intended to establish signage and advertising standards in the Saxony District which are:

Compatible with surroundings.

An enhancement to the district's visual environment.

An enhancement to the district's visual environment.

Betting the compatible with surroundings.

An enhancement to the district's visual environment.

Betting the compatible with surroundings.

An enhancement to the district's visual environment.

Betting the compatible with surroundings.

Codely, readable, and safe.

SECTION 2. DEFINITION (per Section 138 of the Town of Fishers Code)

Sign - Any identification, display or illustration which is affixed to printered.

Sign - Any identification display or illustration which is affixed to each tenant.

Sign area is determined por each horizontal linear foot of building' tenant frontage allocated to each tenant.

Sign area is determined be considered to be the smallest regular shape encompassing all the letters and symbols (corporate and product product logos).

The area of a sign shall include all lettering, signs, only translucent areas shall be included in the total area calculation. Non-illuminated awnings shall have copy calculated as above.

SECTION 4. SIGN RECULATION SUMMARY

Signs (including corporate symbols and logos) shall be permitted in the Saxony PUD Districts as summarized in the following tables as further regulated by the provisions of this section.

THE FOLLOWING SIGNS (TABLE 1) SHALL BE PERMITTED IN DISTRICT PLAN.

Signs (including corporate symbols and logos) shall be obtained by the consistence of the small state of two (2) square feet per one horizontal lineal foot of building' tenant frontage up to the categorical maximums listed below. The aggregate sign area of two (2) square feet per one horizontal lineal foot of building' tenant are demended architecturally compatible with proposed signs are chosen from more than one (1) category in table 1 below and are deemed architecturally compatible with proposed signs are also an en

area may be increased by ed by the Exit 10 PUD cor

| Table 1.   |  |
|--|--|
| - L  |  |
| 1,750  |  |
| Wall sign (1st floor)  | 1:1 ratio up to 150 sf per tenant frontage maximum   |
| Wall sign (2nd floor and above) - mixed use with pedestrian entrance on frontage or open air balcony   | I sign at a .5:1 ratio up to 100 sf maximum per tenant frontage on second floor                                    |
| Wall Sign (2nd floor and above) - office/retail without pedestrian entrance or frontage  | Max. 2 signs per building at a 2:1 ratio up to 300 sf combined maximum, with no individual sign larger than 200 sf |
|  | 1:1 ratio up to 90 sf maximum per side per tenant frontage   |
|  | Maximum Height 18"   |
|  | Maximum Width S'   |
|  | Minimum clearance from ground 8  |
| Projecting Sign*+  | I per tenant per street frontage   |
|  | SE of soals side counted and deducted from the concessors total allowed  |
|  | Maximum 2sf per side per tenant frontage   |
|  | Maximum Height 1'  |
|  | Minimum clearance from ground 8'   |
|  | I per tenant per street frontage   |
| redestran blade Sign   | SF of each side counted and deducted from the agreement total allowed  |
| Awning, Canopy or Marquee signs  | Deducted from the aggregate total  |
| Artwork / murals associated with business activity   | Deducted from the aggregate total  |
| * See Figures 74 and 75 in Savony Devielonment Dattorns and Design Cuidalines (2013, as an analys)   |  |
| CONTRACTOR OF THE CANONING TO SHARE LACENCE AND THE PROPERTY OF THE PROPERTY O |  |

# See Frigures /4 and /5 in Saxony Development Patterns and Design Guidelines (2013, as amended) Faceh sign face counts toward the aggregate sign total allowed for a tenant. No video or blinking is pe use of any projecting signs for that tenant on the adjacent frontages.

THE FOLLOWING SIGNS (TABLE 2) SHALL BE PERMITTED FOR BUILDINGS FRONTING RETAIL DRIVE AND BUILDINGS NORTH OF RETAIL DRIVE IN ALL BUILDINGS IN DISTRICT B: RETAIL / BUSINESS, OFFICE AS IDENTIFIED ON
THE DISTRICT ZONING PLAN.
An aggregate sign area of two (2) square feet per one horizontal lineal foot of building/tenant frontage up to the categorical maximums listed below. The aggregate sign area may be 25 percent if signs are chosen from more than one (1) category in Table 2 below (ground signs excluded) and are deemed architecturally compatible with proposed signs for that tens by the Exit 10 PUD committee. Tenants may choose to follow the C3 sign standards of Section 158.41 in the Town of Fishers Land Use Code but will not receive the increased perc

| Table 2.  Type Ground sign Wall sign (Ind floor & above) – mixed use with pedestrian entrance on frontage Wall sign (2nd floor & above) – office/retail without pedestrian entrance or frontage Projecting signs Awning, Canopy or Marquee signs Attwork / murals associated with business activity  Type  3.2 square feet per face and 6 feet high maximum per lot  1.5:1 ratio up to 200 sf per tenant frontage on second floor  1.5:1 ratio up to 100 sf maximum 1 sign at a .5:1 ratio up to 100 sf maximum per tenant frontage on second floor  2 signs per building at a 2:1 ratio up to 300 sf combined maximum with no individual sign larger than 200 sf  1 sf maximum per face 1 sf maximum per lot 2 signs per building at a 2:1 ratio up to 300 sf combined maximum with no individual sign larger than 200 sf  2 signs per building at a 2:1 ratio up to 300 sf combined maximum with no individual sign larger than 200 sf  2 signs per building at a 2:1 ratio up to 300 sf combined maximum with no individual sign larger than 200 sf  3 square feet per face and 6 feet high maximum per lot  2 signs per building at a 2:1 ratio up to 300 sf combined maximum with no individual sign larger than 200 sf  2 square feet per face and 6 feet high maximum per lot  3 square feet per face and 6 feet high maximum per lot  4 square feet per face and 6 feet high maximum per lot  4 square feet per face and 6 feet high maximum per lot  5 square feet per face and 6 feet high maximum per lot  5 square feet per face and 6 feet high maximum per lot  5 square feet from the agreement from the feet from |
|---|
|---|

- SECTION 5. ADDITIONAL PERMANENT PERMITTED SIGNS BY LAND USE ZONE AS IDENTIFIED ON THE DISTRICT ZONING PLAN.

  1. A-2: Mixed Use, B: Retail/ Business Office, D: Neighborhood Center, D: Neighborhood Residential.

  2. A-2: Mixed Use, B: Retail/ Business Office, C: Multi-Tamily Residential, C-1: Multifamily Residential, D: Neighborhood Center.

  3. A-2: Mixed Use, B: Retail/ Business Office, C: Multi-Tamily Residential, D: Neighborhood Center.

  4. The sign shall be made of wood, chalkboard, or metal with handwritten or painted letters.

  5. The sign shall be made of wood, chalkboard, or metal with handwritten or painted letters.

  6. The sign shall be based in the right-of-way.

  7. The sign shall be based in the right-of-way.

  8. The sign shall not exceed five (5) sq. ft. per face.

  9. The sign shall be established only during business hours.

  9. The sign shall not be placed in the right-of-way.

  10. Ill Building Directory signs identifying the occupants of a commercial building shall be mounted on a wall near the entrance and shall not exceed six (6) square feet.

  11. The majorary signage including decorative banners, shall be limited per Exhibit F. The temporary signs shall be recieved by the Exit 10 PUD Committee.

  12. A-2: Mixed Use, B: Retail/ Business Office, C: Multi-Family Residential, C-1: Multifamily Residential, D: Neighborhood Center.

  13. A-2: Mixed Use, B: Retail/ Susiness Office, C: Multi-Family Residential, D: Neighborhood Center.

  14. A-2: Mixed Use, B: Retail/ Susiness Office, D: Neighborhood Residential, D: Neighborhood Residential, D: Neighborhood Residential, C-1: Multi-Family S cquare feet and at other major entry points (e.g. Alston Drive at Olio and Pennington Roads) into the Saxony District, one double-sided sign not exceeding 32 square feet each or 6 feet in height may be placed on each side of entry.

  13. An District Street and at other major entry points (e.g. Alston Drive at height may be placed on each side of entry.

  14. A-2: Mixed District Street and at other major entry points (e.g. Alst

- 5. All Districts

  1. Directional (Wayfinding) signs Non-illuminated signs displayed strictly for the direction, safety or conveniance of the public, including signs which identify restrooms parking area entrances, shopping / entertainment districts shall be allowed upon presentation and approval by Fishers Town Council.

  SECTION 6.

  For any sign standards not defined in this ordinance, refer to requirements of section 158 of the Town of Fishers Land Use Code of Ordinances.

  SECTION 7. REVIEW PROCEDURES

  1. In addition to complying with these regulations and prior to installation, all signs, banners, kiosks, and similar signs shall be reviewed and approved by the Exit 10 PUD co

  2. All permanent signs described in this Ordinance or Section 158 of the Town of Fishers Land Use Code, exceeding four (4) square feet, shall require the issuance of a perma before public display.

# SAXONY THOUROUGHFARE STANDARDS MATRIX (PUD -M)

**EXHIBIT D** 

Prepared for: Republic Development Corp. Land Planning: Bird Houk - A Division of OHM

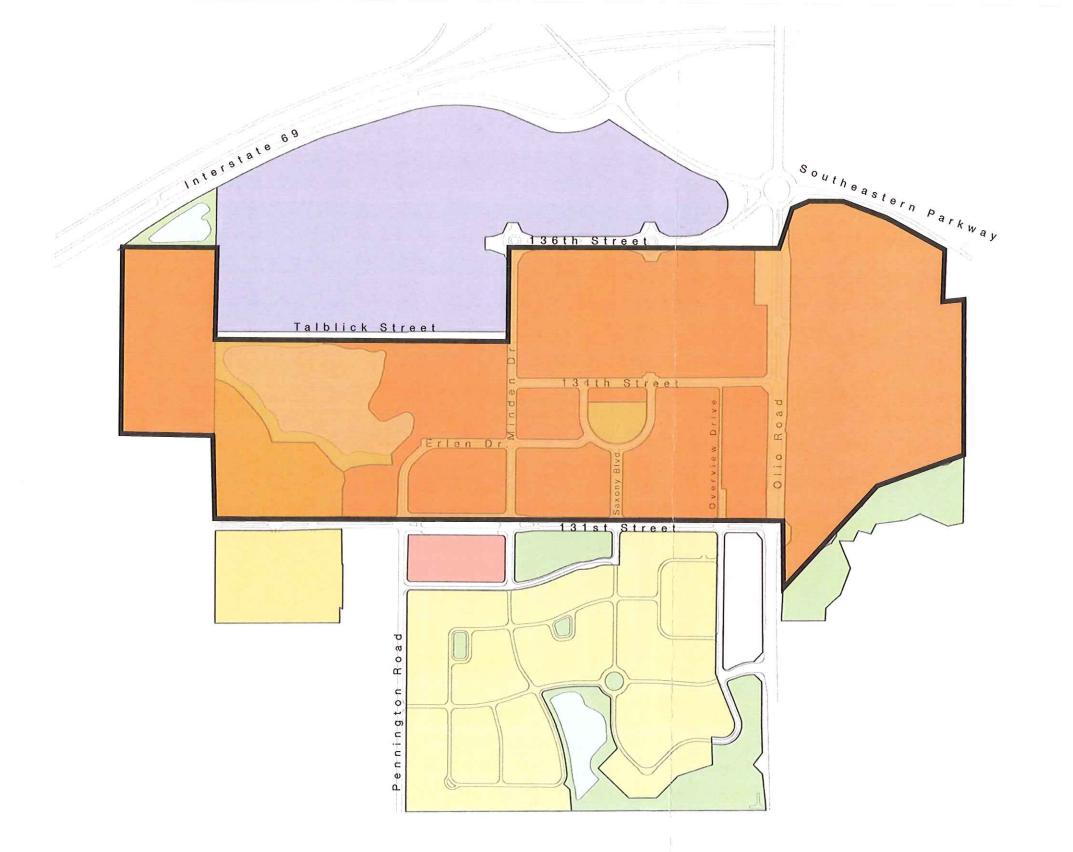
5/2/11

| Street   | District  | R.O.W.   | Street Width (10)     | Curb Type     | Parking Lanes                          | Tree Lawn (5,6,7,9)    | 61111 (0)            |   | ning: Bird Houk - A Division |
|--|---|----------|-----------------------|---------------|--|------------------------|----------------------|---|------------------------------|
|  | 2   | A.O.M.   | (Back to Back)        | Curb Type     | ratking Lanes                          | Min.                   | Sidewalk (9)         | Front Yard Setback                        | Street Tree                  |
|  | District A: Medical Arts  | 70'      | 40'                   | 01 :1 1       |  | Min.                   | Min. in R.O.W.       | (min unless noted)                        | Spacing (7)                  |
| 136th Street   | District A: Medical Arts District A-2: Mixed Use                    |          | 40'                   | Chairback     | Both Sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| 130th Street   | District B: Retail / Business, Office                               | 70'      | 40'                   | Chairback     | Both Sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
|  | District B: Retail / Business, Office                               | 70       | 40                    | Chairback     | Both Sides                             | 8'                     | 5'                   | 25' Building, 10' Parking                 | 40' - 60' o.c.               |
| 134th Street   | District A-2: Mixed Use   | 70'      | 101                   | 0             | Both Sides (west of Overview Dr.) (11) |                        |                      | Retail: 0' Building, 5' Parking           |                              |
| 154th Street   | District A-2; Mixed Use   | 70       | 40'                   | Chairback     | None (east of Overview Dr.)            | 8'                     | 5'                   | Residential and Office: 10' Building, 10' | 40' - 60' o.c.               |
| 131st Street   | District A-2: Mixed Use   | 100'     | 23'-6" each side      | Chairback (3) | E 1 (11 (12)                           |                        |                      | Parking                                   |                              |
|  | District A-1: Medical Arts  |          |                       |               | Each outside lane (1,2)                | 8'                     | 5'                   | 15' Building, 15' Parking                 | 40' o.c.                     |
| Talblick Street (within 650' of Minden Drive)  | District A-2: Mixed Use   | 65'      | 39'                   | Chairback     | Both sides (east of Pennington)        | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| THE LOCALIZATION AND A STATE OF THE STATE OF | District A-1: Medical Arts  | COMME    | 19000                 |               |  |                        |                      | 6,  |                              |
| Talblick Street (650' west of Minden Drive)  | District A-2: Mixed Use   | 53'      | 27'                   | Chairback     | none                                   | 8'                     | 5' (North-side only) | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| Erlen Drive  | District A-2: Mixed Use   | 65'      | 39'                   | Chairback     | Both Sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| Retail Drive   | District A-1: Medical Arts  | 70'      | 40'                   | Chairback     | Both Sides                             | 8'                     | 5'                   | 10' Building, 10' Parking                 | 40 - 60 o.c.<br>40' o.c.     |
| Pennington Road  | District A-2: Mixed Use   | 65'      | 36' (40' Within       |               |  | •                      | 1                    |   | 40 o.c.                      |
|  |   | 63.      | 150' of 131st Street) | Chairback     | One Side                               | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| Saxony Blvd. East/ West (North of 134th)   | District A-2: Mixed Use   | 60'      | 39'                   | Chairback     | Both sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| Saxony Blvd. East/ West (South of 134th)   | District A-2: Mixed Use   | 60'      | 32'                   | Chairback     | One Side - opposite of park            | 8'                     | 5'                   | 0' Building, 5' Parking                   |                              |
|  |   | 15.5     | (3.5)                 |               | One olde - opposite of park            | 0                      | 3                    | Residential: 10' Building, 10' Parking    | 40' - 60' o.c.               |
| Saxony Blvd. (South of 134th Street)   | District A-2-Mixed Use  | 65'      | 39'                   | Chairback     | Both sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' o.c.                     |
|  | District A-1: Medical Arts  |          |                       |               |  |                        |                      | Residential: 10' Building, 10' Parking    | 40 o.c.                      |
| Olio Road  | District A-1: Medical Arts District A-2: Mixed Use                  | Existing | Existing              | 01 11 1       |  | 2.                     |                      | F1 AC-00                                  |                              |
| One Road   | District B: Retail / Business, Office                               | existing | Existing              | Chairback     | none                                   | 8'                     | 5'                   | 25' Building, 25' Parking                 | Varies                       |
|  | District B: Retail / Business, Office<br>District A-1: Medical Arts |          |                       |               |  |                        |                      |   |                              |
| Minden Drive   | District A-1; Medical Arts  | 65'      | 39'                   | Chairback     | Both Sides                             | 8'                     | 5'                   | 0' Building, 5' Parking                   | 40' - 60' o.c.               |
| Overview Drive (private)   | District A-2: Mixed Use   | 62' (4)  | 24'                   | Chairback     |  |                        |                      | Residential: 10' Building, 10' Parking    |                              |
| Tannen Way, Elster Way   | District C: Multi-Family Residential                                | 50'      | 26'                   | Roll          | none                                   | 8'                     | 5'                   | 10' Building, 10' Parking                 | 40' o.c.                     |
| Alley (private)  | All Districts   | 20' (4)  | 20'                   | none          | One Side                               | 7'                     | 5'                   | 15' Building                              | 40' o.c.                     |
|  | All Districts   | 20 (4)   | 20                    | none          | none                                   | none                   | none                 | N/A                                       | none                         |
|  |   |          |                       |               |  | Action and Contraction |                      |   |                              |
| Pennington Road  | District D: Neighborhood Center                                     | 65'      | 36' (40' Within       | Chairback     | East Side Only                         | 8'                     | 5'                   | 15' Building                              | 40' - 60 o.c.                |
|  | District D: Neighborhood Residential                                | 65'      | 150' of 131st Street) | Chairback     | none                                   | 8'                     | 5'                   | 15' Building                              | 40' o.c.                     |
| Saxony Blvd.   | District D: Neighborhood Residential                                | 52'      | 28'                   | Roll          | One Side                               | 7'                     | 5'                   | 15' Building                              | 40' o.c.                     |
| Olio Road  | District D: Neighborhood Residential                                | Existing | existing              | Chairback     | Not Required                           |                        | 5'                   | 25' Building, 25' Parking                 | Varies                       |
| Street 'A'   | District D: Neighborhood Residential                                | 60'      | 28'                   | Roll          | One Side                               | 10'                    | 5'                   | 15' Building                              | 40' o.c.                     |
| Cossel Way   | District D: Neighborhood Residential                                | 50'      | 26'                   | Extnd. Gutter | One Side                               | 7'                     | 5'                   | 15' Building                              | 40' o.c.                     |
| 131st Street   | District C: Multifamily Residential                                 | 100'     | 23'-6" Each Side      | Chairback (3) | Each outside lane (2)                  | 10'                    | 5'                   | 15' Building, 15' Parking                 | 40' o.c.                     |
|  | District C-1: Multifamily Residential                               | 100'     | 23'-6" Each Side      | Chairback (3) | Each outside lane (2)                  | 10'                    | 5'                   | 15' Building, 15' Parking                 | 40' o.c.                     |
|  | District D: Neighborhood Residential                                | 100'     | 23'-6" Each Side      | Chairback (3) | Each outside lane (2)                  | 10'                    | 5'                   | 15' Building, 15' Parking                 | 40' o.c.                     |
|  | District D: Neighborhood Center                                     | 100'     | 23'-6" Each Side      | Chairback (3) | Each outside lane (1,2)                | No tree lawn paved     | 5'                   | 15' Building, 15' Parking                 | 40'-60' o.c.                 |
| Overview Drive   | District D: Neighborhood Residential                                | 60'      | 30'                   | Roll          | One Side                               | 10'                    | 5'                   | 15' Building, 10' Parking                 | 40' o.c.                     |
| Dorster Street, Elbe Street, Whitten Drive North &   |   | 2000     |                       |               |  |                        |                      |   | 10 0.0.                      |
| South, Westhaven Ave., Walbeck East  | District D: Neighborhood Residential                                | 50'      | 26'                   | Roll          | One Side                               | 7'                     | 5'                   | 15' Building                              | 40' o.c.                     |
| P.L. B. D. D. C. AMB T. B.   |   |          |                       | Α             |  | - 5                    |                      | 15 Dunding                                | 40 0.0.                      |
| Erlen Drive, Dresdin Court, Walbeck Drive Alley (private)  | All Districts   |          |                       |               | 1                                      |                        |                      |   |                              |

Town of Fishers, Indiana

- A: Developer may choose to keep any individual street private.
- B: Streets shown as Public may be kept Private in which case design criteria may change.
- C: Street trees 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 installed 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.
- Parking lane changes required as a result of traffic changes shall be approved by the Town Council.
   Straight curbs form 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. Setbacks measured from back of curb on private streets.
- 9. Tree lawn and sidewalks are not required adjacent to common areas and parks if other pathways provide connectivity throught the area.
- 10. If alley home product is planned in the future, then street width minimum shall be increased to 32 feet back to back with parking on both sides.



LEGEND

Mixed Use Entertainment Overlay

150 300 600

EXHIBIT E: MIXED USE ENTERTAINMENT OVERLAY MAP

SAXONY

FISHERS, INDIANA





### **EXHIBIT F**

# Activities and Uses with Special Use Standards – Mixed Use –Entertainment Overlay (MUEO)

### 1. Geography of the MUEO

The boundaries of the MUEO shall be defined as those of the Activity Areas as depicted on Exhibit E.

### 2. Annual Permit

An annual permit shall be required for uses and activities within the MUEO. This permit shall outline, as best as possible; the number, type, dates, and location of events and activities proposed for the calendar year. This permit shall be good for 12 months and shall be filed for review and approval in January of each year. Activities and events listed in the permit shall not have separate fees for review. In the event a tent is required for the event, such tent may require an inspection by the Fishers Fire Department or Development Department.

### 3. Fees

A MUEO fee shall be payable at the time the Annual Permit is filed with the Development Department. This fee shall cover all permitting and approvals from the Town for the purposes of allowing and facilitating the events and activities listed in the Schedule of Events. In the event that tents are installed for events, an inspection will be required by the town and a fee will be paid for each required inspection. Such fee shall be in addition to the Annual Permit fee. Separate and individual inspections shall be performed on an as needed basis and fees will be charged in accordance with the Town of Fishers Fee Schedule section 35.30 of the Town Code of Ordinances as amended from time to time.

### 4. Schedule of Events

As part of the application process, a twelve (12) month schedule of events and activities shall be submitted for consideration and approval by the Development Department. An example of this schedule is attached in Exhibit H. This schedule may not be all inclusive of activities and events for the year, but shall be a best effort to identify the activities planned for the twelve (12) month period. The schedule may be amended to include events not included in the schedule at the time of filing. Such amendments must be made at least two (2) weeks in advance of the event if public road closure is not required. Any event that requires the closure of a public road shall follow the permitting procedures of the Town of Fishers. If an event is added that does not require the closure of a public street, no additional fee shall be charged, except for separate and individual inspections on an as-needed basis as identified in Section 3. If a previously approved event needs to be altered, such changes can take place without additional permitting cost and with notice to the Development Department as outlined in this Section 4.

### 5. Exempt Events

Events that occur on private property that do not currently require a permit, that do not require closure of a public street, and that do not require the installation of a tent shall not be required to be on the schedule or receive pre-approval by the Town. While no permit is required, an electrical inspection may be required if new or altered electrical service is proposed. Separate and individual fire, electrical, and zoning inspections shall be performed on an as needed basis and fees will be charged in accordance with the Town of Fishers Fee Schedule section 35.30 of the Town Code of Ordinances as amended from time to time.

### 6. Permitted Uses and Activities

All uses permitted and activities permitted by the Saxony PUD, Fishers UDO (as applied by the Saxony PUD) and in Exhibit G shall be permitted within the MUEO.

### 7. Tents

A. Limited Use Tents (up for less than one week in duration)

Limited Use Tents shall be permitted in the MUEO and shall not be restricted in size or number. Such tents shall not require permits from the Town; however, tents will be subject to the safety standards for tent installation as established and enforced by the Town, and shall comply with all state and local building codes and regulations. If an inspection is required, a fee will be charged in accordance with the Town of Fishers Fee Schedule section 35.30 of the Town Code of Ordinances as amended from time to time.. Limited Use Tents shall not be required to be located on a property with a primary structure.

B. Semi-Permanent Tents (up for greater than one week at one location)

Separate and individual inspections shall be performed on an as needed basis and fees will be charged in accordance with the Town of Fishers Fee Schedule section 35.30 of the Town Code of Ordinances as amended from time to time. Each tent shall comply with all state and local building codes and regulations. Semi-Permanent Tents shall not be required to be located on a property with a primary structure.

### 8. Parking on non-hard surface areas

Non hard surface parking areas shall be permitted so long as the use of such areas is exclusively for special events, markets, or activities that are intermittent and temporary. Gravel and grass shall both be acceptable surfaces for this temporary parking.

### 9. Signs

In addition to the signage permitted by the Fishers UDO and the Saxony PUD, the following signs shall be permitted in the MUEO district:

### A. General Banner Requirements

- i. No banner shall exceed thirty two (32) square feet in size or six (6) feet in height.
- ii. Banners placed on a structure shall not be placed any higher than the eaves of the structure.
- iii. Banners shall comply with Vision Clearance Standards defined by the UDO, but shall otherwise not be subject to any setback requirement.
- iv. In no instance shall any two banners which are affixed to the ground along public street be closer than 100 feet from one another.
- v. Banners along 131<sup>st</sup> Street, 134<sup>th</sup> Street, 136<sup>th</sup> Street, or Olio Road shall be permitted for a period not to exceed 30 days unless addressed as a Semi-Permanent Banner below.
- vi. Banners along any other public street in the MUEO shall not be subject to any time constraints.
- Banners shall be kept in good working condition and shall be removed or replaced if damaged or rendered in a state of disrepair.
- viii. No fee or permit shall be required for the installation of banners within the MUEO.

### B. Semi-Permanent Banners

- i. Semi-Permanent Banners shall be permitted in the locations as identified in Exhibit I. Banners shall also be permitted on light-poles located in Town of Fishers public ROW, provided such poles include appropriate banner-mounting hardware. Such banners shall provide at least eight (8) feet of clearance from the bottom of the banner to grade. If any part of the banner overhangs any street (between the backs-of-curbs) or vehicle-use area, the banner shall provide at least fifteen (15) feet of clearance from the bottom of the banner to grade.
- ii. These banner locations shall be used exclusively for the advertisement of activities and events within the MUEO as identified in Exhibit G, and may include sponsorship information for events.
- iii. There shall be no restriction on when these banners may remain in place.
- iv. No fee or permit shall be required for semi-permanent banners.

## C. Special Event Banners

- i. These banners shall be used exclusively for the advertisement of community activities and events as identified in Exhibit G within the MUEO, and may include sponsorship information for events.
- ii. Banners shall be unlimited in size, height, and placement within the MUEO, except where specified in this text.
- iii. Banners shall be permitted to be located on parking lot light poles, provide such poles include appropriate banner-mounting hardware and shall be limited to 32 sq.ft. in area. Such Banners shall provide at least 8 feet of clearance from the bottom of the banner to grade. If any part of the banner overhangs any street (between the backs-of-curbs) or vehicle-use area, the banner shall provide at least fifteen (15) feet of clearance from the bottom of the banner to grade.

- iv. Banners up to and including 32 sq. ft. in area shall be permitted to be installed for a total period of up to six months, including the duration of the event.
- v. Banners between 32 and 64 sq. ft. in area shall be permitted to be installed up to 2 weeks before the start of the event and for the duration of the event, and shall be removed within 72 hours of the end of the event.
- vi. Banners larger than 64 sq. ft. shall be permitted to be installed up to 48 hours before the start of the event and for the duration of the event, and shall be removed within 24 hours of the end of the event.
- vii. Special event banners shall be permitted to be illuminated with temporary exterior lighting. Light fixtures shall not be aimed off site.
- viii. No fee or permit shall be required for special event banners.

### D. Balloons, Pennants, and Streamers

- i. Balloons, Pennants, and Streamers shall be permitted for use exclusively for the advertisement of community activities and events as identified in Exhibit G within the MUEO, but may include sponsorship information for events.
- Balloons, Pennants, and Streamers shall not be located in the ROW, shall not be permitted to extend over any public ROW, but otherwise shall not be subject to any setback requirement.
- iii. Balloons, Pennants, and Streamers shall be permitted to be installed up to 72 hours before the start of the event and for the duration of the event, and shall be removed within 72 hours of the end of the event.
- iv. Balloons, Pennants, and Streamers that are located within the MUEO, but are not designed to attract attention from a public ROW, shall be permitted without restriction.
- v. No permit or fee shall be required for Balloons, Pennants, and Streamers

### E. Directional Wayfinding Signs

- i. Signs shall be limited to information that directs people to public and semipublic uses and districts within the MUEO and as identified in Exhibit G.
- ii. Signs shall be limited to eight (8) square feet and four (4) feet in height
- Such signs shall be set back at least five (5) feet from the ROW unless within medians.
- iv. Signs shall comply with Vision Clearance Standards defined by the UDO.

# **EXHIBIT G**

# Additional Permitted Uses in Saxony within the Mixed Use Entertainment Overlay (MUEO)

### Permitted Activities (including, but not limited to...)

**Farmers Markets** 

Outdoor Food, Market and Activity vendors (tied to specific activities and events: site plan to be provided to town prior to activity)

**Fairs** 

**Festivals** 

Carnivals

Indoor markets

Parades, celebration events and ceremonies; holiday activities

Concerts and Performances (acoustic and non-acoustic), dancing

Outdoor seating related to the activities on the annual schedule (Exhibit H)

Sports fields and passive and organized activities, and competitions

Running events, bicycling events, triathlon

Lake Activities, boating, swimming, fishing, water taxi

Beach

Outdoor passive and organized recreational activities (including, but not limited to: yoga, educational events, and movies)

Private parties (including but not limited to weddings, corporate events)

Special event exhibitions, hot-air balloons and skydiving

...and other such related community uses, activities, and events.

# **EXHIBIT H**

# **SAXONY EVENTS - 2011**

### **APRIL** 23<sup>rd</sup>Easter Egg Hunt Fishers Parks 5K & Family Walk 30<sup>th</sup>MAY 14th Saxony Market Opening Shakespeare in the Park 19th Concert in the Park Saxony Market 21st 26th-28th Saxony Carnival 27th Activate the Beach 28th Saxony Market JUNE 4th Saxony Market 8th Movie in the Park 11th Saxony Market WELLNESS DAY @ THE MARKET 18th Saxony Market 25th Saxony Market **JULY** 2nd Saxony Market **Independence Day Concert** 3rd 9th Saxony Market 13th Movie in the Park 16th Saxony Market

KID'S DAY @ THE MARKET

Saxony Market

23rd

| 21 | )th  |  |
|----|------|--|
| ≺1 | ILII |  |
|    |      |  |

Saxony Market

CORN DAY @ THE MARKET

# **August**

6th

Saxony Market

10<sup>th</sup>

Movie in the Park

13th

Saxony Market

PUBLIC SAFETY DAY @ THE MARKET

18th

Concert in the Park

20<sup>th</sup>

Saxony Market

27<sup>th</sup>

Saxony Market

PET DAY @ THE MARKET

# **SEPTEMBER**

3<sup>rd</sup>

Saxony Market

5th

Close the Beach

10th

Saxony Market

17<sup>th</sup>

Saxony Market

17th

SAXONY OKTOBERFEST

24th

Saxony Market

# **OCTOBER**

1st

Saxony Market (SEASON CLOSES - LAST DAY)

1st-2nd

RENAISSANCE FAIRE

### **NOVEMBER**

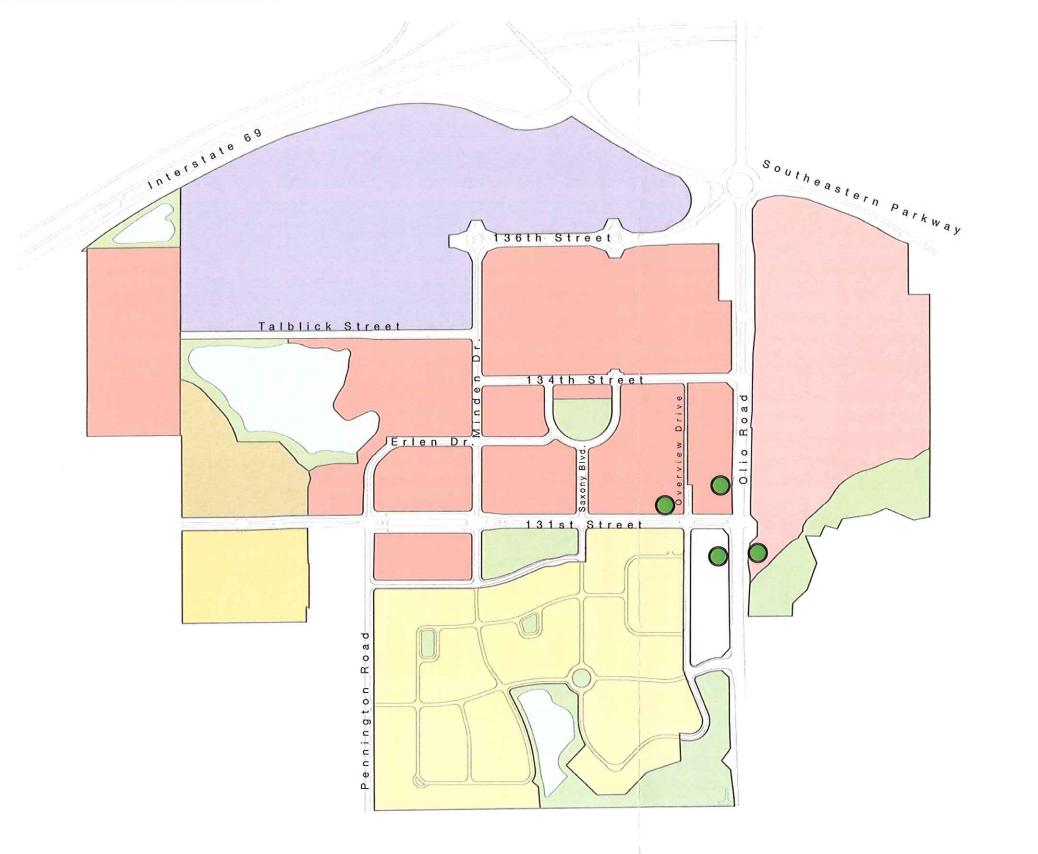
5<sup>th</sup>

**AUTISM 5K** 

# **DECEMBER**

2nd-3rd

**OLD TOWN CHRISTMAS & TREE LIGHTING** 



LEGEND



Semi-Permanent Banner Location

EXHIBIT I: SEMI-PERMANENT BANNER LOCATION MAP

SAXONY°

FISHERS, INDIANA



