

ORDINANCE NO. 020110

**AN ORDINANCE TO AMEND THE
UNIFIED DEVELOPMENT ORDINANCE OF THE
TOWN OF FISHERS, HAMILTON COUNTY, INDIANA - 2006**

This is an ordinance to amend Ordinance No. 100305E, as amended, the Southeast Fishers Planned Unit Development Ordinance (the "Southeast Fishers PUD"), previously enacted by the Town of Fishers pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 *et seq.*, as amended.

WHEREAS, the Plan Commission of the Town of Fishers has conducted a public hearing on Docket No. 1-TA-10 as required by law in regard to the application filed by Property Group One, Ltd. (the "Developer") to amend the Southeast Fishers PUD; and,

WHEREAS, the Plan Commission at its March 9, 2010, meeting sent a favorable recommendation to the Town of Fishers Town Council by a vote of nine (9) in favor, zero (0) opposed and one (1) abstention;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fishers, Hamilton County, Indiana, meeting in regular session, that the Southeast Fishers PUD is hereby amended as follows:

SECTION 1. The subject real estate, more particularly described in Exhibit A attached hereto (the "Real Estate"), commonly known as Watercolors, is located within Area D-1 (Active-Adult) of the Southeast Fishers PUD.

SECTION 2. This Ordinance hereby amends the Southeast Fishers PUD as applicable to the Real Estate to accommodate the development of detached active adult homes (the "Detached Models") in Watercolors in addition to the already-approved attached active adult homes (the

"Attached Models"). The existing terms of the Southeast Fishers PUD shall continue to apply to any additional Attached Models built within Watercolors. If the Developer elects to build Detached Models within Watercolors, then the terms of this Ordinance shall apply to those Detached Models. This Ordinance shall apply only to Section 2 of the Real Estate, as identified on the Concept Plan, attached hereto as Exhibit B.

SECTION 3. Both Detached Models and Attached Models may be built in Section 2 of Watercolors, as identified on the Concept Plan.

SECTION 4. Exhibit H and Exhibit I of the Southeast Fishers PUD are hereby amended as shown on the Attached Exhibit H and Exhibit I.

SECTION 5. Any Detached Models shall be substantially similar in quality and character to the conceptual elevations shown on the attached "Watercolors New Model Exhibit," attached hereto as Exhibit C, and shall be built with exterior materials substantially similar in quality and character as the Attached Models.

SECTION 6. All other provisions of the Southeast Fishers PUD shall remain in effect with the adoption of this Ordinance. All provisions and representations of the Southeast Fishers PUD and/or other laws 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.

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SECTION 7. This Ordinance shall be in full force and effect from and after its passage by the Town Council and after the occurrence of all other actions required by law.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Town Council this Twelfth day of April, 2010.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

AYE	NAY
BY: <u>Scott A. Faultless</u>	_____
Scott A. Faultless, President	_____
<u>David C. George</u>	_____
David George, Vice President	_____
_____	_____
_____	_____
<u>Eileen N. Pritchard</u>	_____
Eileen N. Pritchard, Member	_____
<u>Charles P. White</u>	_____
Charles P. White, Member	_____
<u>Daniel E. Henke</u>	_____
Daniel E. Henke, Member	_____
<u>Arthur J. Levine</u>	_____
Arthur J. Levine, Member	_____

ATTEST: Linda Gaye Cordell
Linda Gaye Cordell, Clerk-Treasurer,
The Town of Fishers, Indiana
Ordinance No. 020110

Approved by: Douglas D. Church, Esq., Church, Church, Hittle and Antrim, Town Attorney
Prepared by: Steven D. Hardin, Esq., Attorney at Law, Baker & Daniels, LLP
Jesse M. Pohlman, Land Use Consultant, Baker & Daniels, LLP
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240

EXHIBIT A
Real Estate Description

Watercolors
(Area D-1 of the Southeast Fishers Planned Unit Development Ordinance)

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

Commencing at the Southwest corner of said Quarter Section; thence North 00 degrees 28 minutes 07 seconds East along the West line of said Quarter Section 868.70 feet; thence South 89 degrees 31 minutes 53 seconds East 35.74 feet to the easterly right-of-way line of Olio Road as established per Instrument No. 2003-44420 in the Office of the Recorder of Hamilton County, Indiana and the POINT OF BEGINNING of this description; thence North 01 degrees 00 minutes 40 seconds West along said right-of-way 443.09 feet; thence North 86 degrees 09 minutes 12 seconds East 1,318.65 feet to the Northeast corner of the Southwest Quarter of said Southwest Quarter; thence South 00 degrees 22 minutes 37 seconds West 689.87 feet to the Southeast corner of the Southwest Quarter of said Section; thence South 89 degrees 59 minutes 14 seconds West 613.66 feet; thence North 75 degrees 04 minutes 13 seconds West 260.62 feet; thence North 55 degrees 36 minutes 13 seconds West 157.27 feet; thence North 89 degrees 31 minutes 53 seconds West 308.08 feet to the place of beginning. Containing 17.761 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

EXHIBIT B

WATERCOLORS CONCEPT PLAN

FIGURE A: CONCEPT PLAN WITH EXISTING MODELS



FIGURE B: CONCEPT PLAN WITH NEW MODELS



EXHIBIT C WATERCOLORS NEW MODEL EXHIBIT



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SOUTHEAST FISHERS PLANNED DEVELOPMENT
Development Standards Matrix
Residential

Area Land Use	A	B-1	B-2	B-3	C-1	C-2	D-1	E	F	G-1	G-2	G-3	TOTAL	R3 Single-Family
	Single-Family	Single-Family	Active-Adult Detached	Single-Family	Single-Family	Active-Adult Detached	Active-Adult 4-xxxx	Single-Family	Single-Family	Active-Adult 2-unit	Active-Adult Townhomes	Active-Adult Detached		
Acreage	57.5	134.4	36.4	74.6	64.2	60.1	18.1	30.2	33.7		47.5		556.1	N/A
Max. Number of Lots ¹	115	218	70	141	109	171	78	60	84		238 ²		1,284	N/A
Maximum Density	2.00	1.62	1.92	1.89	1.70	2.84	4.32	1.99	2.49		5.01		2,330	N/A
Min. Lot Area (SF)	15,000	12,350	9,100	11,700	11,700	6,600	N/A	11,700	8,840	11,250	no min.	5,625	12,000	
Min. Lot Width	100 ³	95 ³	70 ³	90 ³	90 ³	55 ⁴	N/A	90 ³	68 ³	90 ^{3,5}	no min.	45 ³	90 ³	
Min. Lot Depth	130 ³	130 ³	130 ³	130 ³	130 ³	120 ³	N/A	130 ³	130 ³	125 ³	no min.	125 ³	120 ³	
Min. Front Yard	40 ³	25 ³	25 ³	25 ³	25 ³	25 ³	15 ³	25 ³	25 ³	20 ³	10 ³	20 ³	30 ³	
Min. Side Yard	15 ³	5 ³ /15 ⁶	5 ³ /10 ⁷	5 ³ /15 ³	5 ³ /15 ³	6 ³ /12 ³	20 ⁸ / 10 ⁹	5 ³ /15 ³	5 ³ /15 ³	10 ⁷	10 ⁷	5 ³ /10 ³	10 ³	
Min. Rear Yard	40 ³	30 ³	30 ³	30 ³	30 ³	30 ³	20 ³	30 ³	30 ³	25 ³	no min.	25 ³	30 ³	
Min. Living Space (SF) ¹⁰	1,500/1,800	2,000/2,400	1,900	1,900/2,400	2,000/2,400	1,350/1,400 ¹¹	1,500	1,800/2,400	1,700/2,400	1,400	1,500	1,350	1,400/1,800	
Max. Lot Coverage	25%	35%	35%	35%	35%	35%	N/A	35%	35%	35%	no max.	35%	35%	
Max. Building Height ¹²	35 ³ /20 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³ /25 ³	35 ³	40 ³	35 ³ /35 ³	35 ³ /25 ³	
Min. Parking Spaces ¹³	3	3	3	3	3	3	3	3	3	3	2	3	2	
Open Space	N/A	YES	YES	YES	YES	YES	N/A	YES	YES	YES	10 ACRES ¹⁴			N/A

¹ Refers to maximum lots for single-family units and to maximum units for multiple-family units
² No single sub-area within Area G may include more than one hundred and fifty-five (155) units
³ At least one hundred and twenty (120) lots shall have a minimum lot width of one hundred feet (100')
⁴ Lots along the frontage road facing 96th Street shall be a minimum of sixty feet (60') wide
⁵ Refers to minimum combined width of lot(s) that the 2-unit structure occupies
⁶ Refers to setback/building separation
⁷ Updated per Ordinance No. 061807, approved as Mill Ridge Farms of Brooks Park Amendment Ordinance
⁸ Refers to minimum building separation
⁹ Refers to minimum building separation for detached active adult buildings
¹⁰ Refers to 1-story/2-story square footage minimum unless otherwise noted (and does not include basements)
¹¹ Refers to 1 1/2 story minimum square footage
¹² Refers to maximum building height for primary/accessory structures
¹³ Refers to minimum off-street parking spaces and includes the number of spaces inside a garage and on a driveway
¹⁴ Refers to total common area

ACTIVE ADULT FEATURES AND LANDSCAPING, ARCHITECTURE AND PARKING STANDARDS

Active Adult Features (Areas B-2, C-2, D-1 and G)

Area B-2 Active Adult Features¹:

- single family detached active adult
- mandatory maintenance fee for lawn mowing, lawn maintenance and snow removal shall be a part of the homeowners' association (HOA) dues
- all homes shall have main floor master bedrooms
- all homes shall have 9' or cathedral ceilings in the primary living areas
- no more than 3 bedrooms per unit
- all homes shall be one (1) or one and one half (1 ½) story units, no two (2) story units shall be permitted. One and one half (1 ½) story shall be defined as the second story livable area being no greater than eighty percent (80%) of the first story livable area, unless otherwise approved by the PUD Committee.
- the homeowners' covenants shall include provisions that prohibit playsets, sandboxes and mini storage barns. Such provisions shall include language to prohibit any modification to the homeowners' covenants without Town Council approval that would allow playsets, sandboxes and mini storage barns to be permitted.

Area C-2 Active Adult Features:

- single family detached active adult
- mandatory maintenance fee for lawn mowing, lawn maintenance, and snow removal shall be a part of the HOA dues
- all homes will feature 1st floor master bedrooms
- no homes will have more than 3 bedrooms
- all homes will feature at least 9' ceilings in the primary living areas
- the homeowners' covenants shall include provisions that prohibit playsets, sandboxes and mini storage barns. Such provisions shall include language to prohibit any modification to the homeowners' covenants without Town Council approval that would allow playsets, sandboxes and mini storage barns to be permitted.
- a home that includes three bedrooms shall not also include a separate den
- homes shall be one (1) or one and one half (1 ½) story² units, no two story units shall be permitted

¹ Underlined standards within this section added per Ordinance No. 061807, approved as Mill Ridge Farms of Brooks Park Amendment Ordinance.

² One and one half (1 ½) story shall be defined as the second story liveable area being smaller than the first story liveable area.

- a minimum of thirty five percent (35%) of the homes shall be one-story

Area D-1 Active Adult Features:

- ~~4-unit~~ single-family attached and detached active adult
- mandatory maintenance fee for lawn mowing, lawn maintenance, exterior building maintenance and snow removal shall be a part of the HOA dues
- no more than three (3) bedrooms per unit
- all primary living areas will have either 9’ or cathedral ceilings
- at least seventy percent (70%) of the units will be 1-story units

Area G Active Adult Features

- single family, two-family and townhome active adult
- mandatory maintenance fee for lawn mowing and maintenance, exterior building maintenance and snow removal shall be a part of the HOA dues
- single family and two-family dwellings: all homes will feature 1st floor master bedrooms
- single family and two-family dwellings – all homes will feature 9’ ceilings on the first floor
- single family and two-family dwellings: no more than three (3) bedrooms per unit

LANDSCAPING

Common Area

Area B shall have a minimum of 37 acres of common area exclusive of ponds.

Perimeter Planting Standards

Residential Projects: Properties that abut 96th Street, Olio Road, or 104th Street shall include a 20’ landscaping common area (the “Perimeter Buffer Area”) adjacent to the right of way. The Perimeter Buffer Area shall include:

Trees and Shrubs: six (6) trees and ten (10) shrubs per 100 lineal feet, planted in clusters and irregular patterns; and

Either Fencing or Mounding:

Fencing. Fencing between 36” and 72” in height and constructed of masonry, stone, wood, metal or synthetic materials that simulate natural materials; or

Mounds. Minimum 3’ in height. Maximum side slope shall be a 3:1 ratio. Continuous mounds are not permitted.

Area B. Properties that abut Georgia Road shall include:

Wider Buffer Area: a 40’ landscaping common area adjacent to the right of way;

Enhanced Landscaping: ten (10) trees and ten (10) shrubs per 100 lineal feet, planted in clusters and irregular patterns; and

Mounds. An undulating mound 4’-6’ in height. Maximum side slope shall be a 3:1 ratio. Continuous mounds are not permitted.

Area B-2³: Ten (10) trees and ten (10) shrubs per one hundred (100) lineal feet shall be planted in the area near the rear property lines of, or the common area adjacent to, lots #370 and #371 of Mill Ridge Farms of Brooks Park (Area B-2).

Area F. The Perimeter Buffer Area for Area F shall include:

Wider Buffer Area: a 30' landscaping common area adjacent to the right of way;

Enhanced Landscaping: ten (10) trees and ten (10) shrubs per 100 lineal feet, planted in clusters and irregular patterns; and

Either Fencing or Mounding: as described above

Area G. Townhomes that are immediately adjacent to the southern property line of Area G shall be buffered as follows:

Landscaping: two (2) staggered rows of evergreen trees planted twenty (20') feet on center, a minimum of five (5) to six (6) feet in height at planting, and shall be installed upon:

Mounding: a three (3) foot undulating mound.

Street Trees

Streets shall have street trees on both sides of the street, except for frontage roads (which only require street trees on the side of the street where primary structures are located). Street trees shall be placed on average between 40 - 60 feet on center in a planting strip between the curb and the sidewalk if available. The planting strip shall be a minimum of four feet wide. Within 100' of an intersection, trees may be planted back of sidewalk in order to maintain vision clearance of traffic control signs. Trees shall be deciduous and selected from the Town's approved List of Recommended Species. Trees, as mentioned hereafter, shall be a minimum of two (2) inch caliper, as measured twelve (12) inches from the ground.

Single Family Residential Lot and Foundation Plantings

- Lots with 6,000 or less square feet shall be required to have one (1) deciduous tree or one (1) evergreen lawn tree in the lot planting area in the front yard.
- Lots over 6,000 square feet but less than 15,000 square feet shall be required to have two (2) trees in the lot planting area in the front yard or sideyard within ten (10) feet of the established building line.
- Lots over 15,000 square feet shall be required to have three (3) trees in the lot planting area with at least one in the front yard.
- All lots shall have a minimum of six (6) shrubs planted along the foundation facing a street. Corner lots shall install a minimum of six (6) shrubs per side facing a street.

Multifamily and Commercial Lot and Foundation Plantings

- Lots over 15,000 square feet but less than 30,000 square feet shall be required to have one (1) canopy tree in the lot planting area in the front yard.
- Lots over 30,000 square feet but less than 45,000 square feet shall be required to have two (2) trees, one (1) of which must be a canopy tree, in the lot planting area in the front yard.

³ Section added per Ordinance No. 061807, approved as Mill Ridge Farms of Brooks Park Amendment Ordinance.

- Lots over 45,000 square feet shall be required to have three (3) trees, plus one (1) more per every 15,000 square feet over 45,000 square feet. At least 1/3 of the trees must be canopy trees.
- Foundation plantings shall be at least six (6) feet wide and be located within twenty (20) feet of the foundation wall. At least one (1) shrub or ornamental tree shall be planted for every twelve (12) lineal feet of building circumference, excluding doors, windows and loading docks.
- Trash enclosures shall be gated and enclosed by a fence or wall constructed of similar materials as the primary structure and shall be supplemented with landscaping to soften the effect of the fence or wall. Ground-mounted heating and cooling units, telecommunications and gas utilities or other such above ground utilities shall be screened with landscaping.

Commercial Parking Lot Planting Standards.

Perimeter Landscaping. Commercial parking lots with six (6) or more spaces must include the following perimeter plantings:

Shrubs, Walls or Mounds. Either:

- One (1) shrub per six (6) lineal feet around the perimeter, maintained at a height of at least 36" at maturity in order to minimize headlights projecting onto adjacent properties; or
- A wall or mound between 36" and 42" in height. The screen may be broken into segments to allow pedestrian and traffic movement or drainage.

Trees. One (1) deciduous tree per thirty-five (35) feet of parking lot perimeter shall be planted within ten (10) feet of the parking lot edge if the parking lot is located more than thirty (30) feet from the adjacent right of way, so as not to duplicate or crowd the required street tree plantings.

Interior Parking Lot Landscaping. Commercial parking lots with twenty (20) or more parking spaces are required to have the landscaping islands as follows:

One (1) landscape island shall be provided with an additional one (1) landscape island per every twenty (20) spaces over the initial twenty (20) spaces. Each landscape island shall be at least 180 square feet in size and contain at least one (1) tree, and 1/3 of all landscape island trees shall be canopy trees. Landscape islands shall be distributed throughout the parking lot.

Commercial/Residential Buffer Yard Standards.

- A landscape area shall be located adjacent to the property line and within the required side and rear yard setbacks.
- Where a commercial use is adjacent to a residential use, the commercial use property shall provide a twenty (20) foot landscaping area. The landscaping area shall include a landscape screen of 6' evergreen trees spaced a minimum of eight (8) trees per 100 lineal feet.
- In the case of mini-storage facilities,
 - When adjacent to a multi-family use, the landscape area shall be twenty (20) feet and shall include a landscape screen of 6' evergreen trees spaced a minimum of eight (8) trees per 100 lineal feet.

- When adjacent to a single-family use, the landscape area shall be thirty-five (35) feet and shall include: (i) a minimum 3' high non-continuous mound extending at least sixty percent (60%) of the area; and (ii) 6' evergreen trees spaced a minimum of eight (8) trees per 100 lineal feet.

Conservation/Preservation Plan.

The developer of any Real Estate shall work with the Town's development staff to develop a tree preservation plan as part of the platting process for any significant woods located on the Real Estate.

Preservation of Existing Trees.

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

ARCHITECTURE

**Traditional Single Family Residential Architecture Standards
(Areas B-1, B-3, C-1, E and F)**

Brick/Masonry

- Masonry shall be defined as brick, stone, cultured stone, stucco or EFIS materials
- All homes shall have masonry on 50% of the front elevation, not including doors, windows and other openings
- All homes in Areas B-1, C-1 and E, as shown on the attached Site Location Map, shall have masonry on at least 3 sides, first floor
- 96th Street/104th Street. Any home on a lot that immediately abuts and backs up to 96th Street or 104th Street shall have masonry on 4 sides, first floor. The affected lots in Area B are identified on the attached Exhibit.
- The foregoing requirements may be modified by an individual neighborhood's architectural committee on a case by case basis (e.g., Victorian, Country French, Colonial, Cape Cod or other styles that lend themselves to the use of less brick, stone or stucco material)
- The exterior chase of fireplaces shall be brick or other masonry material, except for direct vent and interior fireplaces.

Siding/Window Requirements

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

Roof Pitch Requirements

- Front to back 6/12 minimum; in Areas B-1, C-1 and E, however, the minimum shall be 8/12

- All homes shall have a minimum 6” overhangs; in Areas B-1, C-1 and E, however, the minimum shall be 8”

Additional Requirements.

- **Georgia Road.** Any home on a lot that immediately abuts and backs up to Georgia Road shall have masonry on 4 sides, first floor. The affected lots in Area B are identified on the attached Exhibit.
- **Area B-3:**
 - For lots adjacent to Area B-1, all homes shall be 4-sided masonry on the 1st floor.
 - All homes shall include at least 2200 square feet for a 1-story home and 2500 square feet for a multi-story home. All homes shall include a basement. All homes shall include at least a 3-car garage; however, a 2-car garage is allowed as long as it is side loaded.
- **Area F:**
 - All homes on the perimeter and a minimum of 50% of all total homes shall have one or more of the following features on the rear elevation: first floor masonry, sun room, screened porch or breakfast nook with Landscaped Patio.
 - All homes within 200’ of and backing up to Bee Camp Creek shall have 4-sided masonry on the 1st floor.

Model Home Requirements

Area B-3: model homes shall include:

- all model homes must be at least 3000 square feet (not including the basement); however, if a builder builds and uses at one time more than one model home, then one of the model homes must be the largest model offered by that builder in that project
- 3-car garage (unless impractical due to easements or similar site restrictions)
- a finished basement; and
- one of the following features on the rear façade: first floor masonry, sunroom, screened porch or breakfast nook with Landscaped Patio.

Area F: model homes shall include:

- if one model home is built, then it shall include at least 3000 square feet (not including the basement), and if two model homes are built, then the second model home shall include at least 2600 square feet (not including the basement);
- 3-car garage;
- 9’ ceilings on the first floor;
- one of the following features on the rear façade: first floor masonry, sun room, screened porch or breakfast nook with Landscaped Patio

Active Adult Residential Architecture Standards (Areas B-2, C-2, D-1 and G)

Elevations

- In Area G: The residential dwellings shall be substantially similar in quality and character as the conceptual elevations as identified on the attached Exhibit.

Brick/Masonry Standards

- All front elevations shall include masonry. Single family detached, two-family attached, four-family attached, and multi-family attached units (including townhomes) shall include 50% masonry on all front elevations not including doors, windows and other openings.
- All residential units that immediately abut (e.g., within 200') and back up to either 104th Street, Olio Road, Georgia Road⁴ or 96th Street shall be 4-sided masonry on the first floor. The affected lots in Area B are identified on the attached Exhibit. The affected buildings in Area G-2 are identified on the attached Exhibit.
- In Area G-2, all townhome unit facades that immediately face (e.g., within 285') Olio Road shall also have 100% masonry, not including doors, windows, other openings, gables and dormers. The affected buildings in Area G-2 are identified on the attached Exhibit.
- All units in Area B-2 shall have masonry on at least 3 sides, first floor
- The foregoing requirements may be modified by an individual neighborhood's architectural committee on a case by case basis (e.g., Victorian, Country French, Colonial, Cape Cod or other styles that lend themselves to the use of less brick, stone or stucco material). In Area G, the foregoing requirements may be modified by the Town's PUD Committee on a case-by-case basis.
- The exterior chase of fireplaces shall be brick or other masonry material, except for direct vent and interior fireplaces.
- In Area C-2:
 - All homes shall have masonry on 100% of the front elevation not including doors, windows, other openings, gables and dormers
 - All corner lots also shall have 1st floor sides masonry
 - All lots backing up to Bee Camp Creek shall have 4-sided masonry. Walkout lots shall have 3-sided masonry and rear walkout level masonry.
- In Area G-1 and G-3:
 - All homes shall have masonry on 100% of the front elevation not including doors, windows, other openings, gables and dormers.
 - All corner lots also shall have 1st floor sides masonry.
 - All lots backing up to Bee Camp Creek shall incorporate one of the following features on the rear façade: first floor masonry, sunroom, screened porch, breakfast nook with landscaped patio (minimum 1 tree and 8 shrubs), or have a minimum four-foot (4') offset from the rear facade over the course of twenty-five (25%) percent to seventy-five percent (75%) of the rear façade.

⁴ Supplemented to clarify per Ordinance No. 061807, approved as Mill Ridge Farms of Brooks Park Amendment Ordinance.

- Any fence installed on the perimeter of any lot backing up to Bee Camp Creek shall be limited to a maximum height of sixty inches (60”) and be uniform, black and consist of an open design (e.g., chain link or wrought iron style).

Siding/Window Requirements

- Areas B-2, D-1 and G: all siding shall be masonry, wood or Cemplank/Hardiplank type material (no vinyl or aluminum siding is allowed)
- Area C-2: all siding shall be masonry, wood, Cemplank/Hardiplank type material or heavy gauge vinyl (0.042 in.)
- All windows shall be wood, vinyl or a vinyl clad or aluminum clad type material

Roof Pitch Requirements

- One-family, two-family and four-family units: 6/12 minimum
- Townhomes: 5/12 minimum
- All homes shall have 8” overhangs

Commercial Architecture Standards

PUD Committee Review

All architectural designs shall be approved by the 116th Street and Olio Road PUD Committee.

Facades

Facades that have greater than one hundred (100) feet in length, measured horizontally shall incorporate wall plane projections or recesses having a depth of at least two (2) percent of the length of the facade and extending at least twenty (20) percent of the length of the facade. No uninterrupted length of any façade shall exceed one hundred (100) horizontal feet.

Exterior Materials

The exterior of all buildings adjacent to residentially zoned real estate shall have a residential appearance consisting of brick, masonry or stone façade or stucco materials with masonry surface and appearance.

Mechanical Equipment

All buildings shall screen all mechanical equipment including that which is mounted to the roof and/or ground.

Roofs

Roofs of gasoline station canopies shall have similar roof patterns as the principal structure.

Roofs shall have some combination of the following features:

- All roof areas shall restrict rooftop equipment such as HVAC units from public view.
- Overhanging eaves, extending no less than three (3) feet past the supporting walls.
- All roofs shall be residential in appearance and have gables, dormers and be pitched.

Materials and Colors

- Predominant exterior building materials shall be high quality materials, including, but not limited to, brick, limestone, other native stone and tinted/textured concrete masonry units.
- Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
- Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be an acceptable feature for building trim or accent areas.

Accessory Uses

Dumpster and trash compactors shall be gated and enclosed by a minimum 6' high masonry and brick enclosure designed to match the building(s).

Signage

The Real Estate will conform to all applicable C2 standards relating to signage, landscaping and development requirements, as amended.

Lighting

- Light poles shall be limited to 25' in height, measured at the base.
- Lighting shall be limited to 0.5 foot candles at the property line except at the entryway. The primary parking lot poles shall incorporate bulbs that are recessed and shielded.
- Light fixtures shall be decorative along the entrance drives and along public rights-of-way as part of the overall architecture. The decorative light fixtures shall be shielded.
- There shall be a ten (10) foot-candle maximum on site except where a higher maximum is required by insurance (e.g., at a gas/convenience store).

Mini-storage

Mini-storage facilities shall be self-enclosed (no perimeter fencing is allowed). Access to the individual storage facilities shall be from the interior of the buildings; no doors shall be located on the exterior of the building façade. Exclusive of entryways, windows and trim, the exterior building façade shall be covered by opaque materials including a minimum of fifty percent (50%) brick, masonry or stone material with masonry surface and appearance (except the minimum shall be 100% when adjacent to single family residential). Façade colors shall be subtle, neutral or earth tone colors. The use of high-intensity colors, black or fluorescent colors shall be prohibited.

PARKING

Single family, two-family and four-family dwellings:

- Minimum 2-car garage per home and one open space a minimum of eighteen (18) feet in length.

Townhomes:

- Two (2) off-street parking spaces per unit, one of which must be covered.
- At least one (1) space per two (2) units is required for visitor parking and shall be spread evenly throughout Area G-2.

- Visitor parking spaces cannot include spaces in carports or garages, but may include spaces on driveways.

Commercial:

- Per the applicable Parking Space Standards, as amended.

SOUTHEAST FISHERS GUIDEBOOK
PROJECT SPECIFIC ADDITIONAL STANDARDS

ASSET MIDWEST (AREA B)⁵

Miscellaneous Requirements (Applicable to Areas B-1, B-2 and B-3)

1. All plans, including exterior colors, to be approved by the individual community's New Construction Committee ("NCC") prior to construction
2. All homes to have minimum 2-car garage
3. No equipment vents allowed on the front of homes
4. In area B-1, basement or crawl space required (no slab allowed)
5. No outbuildings or storage sheds allowed
6. All driveways to be concrete. Any modifications (i.e., color changes, stamping) must be approved by the ACC.
7. Public sidewalks on all lots
8. Uniform location of yard lights or coach lights as determined by the developer
9. Uniform mailboxes as determined by the developer
10. Prior to approval of a final development plan that includes any lot adjacent to the Bee Camp Creek corridor, the developer shall dedicate an easement for a future Bee Camp Creek trail in a location that is satisfactory to the Development Department Director, the Parks Department Director and the developer.
11. The homes to be built within Area B-3 shall be limited to either:
 - a. Homes that meet the architectural standards for homes built in Area B-1; or
 - b. The following plans as designed, marketed and built by Drees Homes:
 - i. The Scarborough
 - ii. The Savoy
 - iii. The Yardley
 - iv. The Hartwicke
 - v. The Easton
 - vi. The Dorchester
 - vii. The Dartmouth
 - viii. The Ashville
 - ix. The Langdon
 - x. The Mark I
 - xi. The Robinson
 - xii. The Wyngate

⁵ Paragraphs 13 and 14 within this section added per Ordinance No. 061807, approved as Mill Ridge Farms of Brooks Park Amendment Ordinance.

- xiii. The Wainwright
- xiv. The Preston V
- xv. The Regent

These plans shall be filed with the Town of Fishers Department of Development, and no other plans shall be permitted to be constructed within Area B-3 unless such plans are approved by the Town of Fishers PUD Committee.

12. Garage Doors:

- a. For any lot fronting a primary thoroughfare (regardless of lot or building width), and for all lots between 50' and 65' in width, if the garage is equal to or exceeds 50 percent of the width of the residence, the garage shall be side or rear loading or be recessed a minimum of eight (8) feet behind the front façade;
- b. Except for any residence on a lot fronting a primary thoroughfare, if the garage is less than 50 percent of the width of the residence, the garage may be front loading, but shall not protrude more than fourteen (14) feet from the first floor front façade;
- c. Side loading or courtyard entry garages shall have two (2) windows located on the front elevation of the garage;
- d. Front loading garages protruding more than eight (8) feet shall also contain a window on the side of the garage closest to the entry. Residences which are on lots more than sixty-five (65) feet in width and which have a front-loading garage that protrudes in front of the first floor façade shall, including the garage, be equal to or greater than forty (40) feet wide; and
- e. For homes with front-loading three-car garages, the third car garage entrance must be recessed a minimum of two (2) feet from the two-car garage door. Any three-car garage driveway must taper to a maximum of sixteen (16) feet wide at the lot line.

13. Signage for Mill Ridge Farms of Brooks Park (Area B-2) shall include the words "of Fishers" on the sign(s). Said wording shall not be calculated as part of the otherwise permitted sign size.

14. If Mill Ridge Farms of Brooks Park (Area B-2) utilizes private streets, then the following language shall be included on the Real Estate's secondary plat and said language shall be also included in the Real Estate's covenants and restrictions:

- a. *"The Owner/Developer expressly covenants and warrants on behalf of itself and all future owners of lots within this subdivision that because the streets are private that all maintenance, repairs and replacement now and forever shall be undertaken at the expense of the lot owners in accordance with the terms and conditions set forth in the homeowners association bylaws and articles. No governmental entity has any duty or responsibility to maintain, repair or replace any private street. It is hereby acknowledged that the installation and use of security gates across private streets may reduce the response time of emergency equipment and personnel in the event of an emergency."*

PRECEDENT (Areas C-1 and C-2)

Miscellaneous Requirements

- 1. All plans, including exterior colors, to be approved by the individual community's New Construction Committee ("NCC") prior to construction

2. All homes to have minimum 2-car garage
3. No equipment vents allowed on the front of homes
4. In area C-1, basement or crawl space required (no slab allowed)
5. No outbuildings or storage sheds allowed
6. All driveways to be concrete. Any modifications (i.e., color changes, stamping) must be approved by the home owners' association.
7. Public sidewalks on all lots
8. Uniform location of yard lights or coach lights as determined by the developer
9. Uniform mailboxes as determined by the developer

SHAMROCK (AREA E)

Miscellaneous Requirements

1. All plans, including exterior colors, to be approved by the individual community's New Construction Committee ("NCC") prior to construction
2. All homes to have minimum 2-car garage
3. No equipment vents allowed on the front of homes
4. Basement or crawl space required (no slab allowed)
5. No outbuildings or storage sheds allowed
6. All driveways to be concrete or asphalt. Any modifications (i.e., color changes, stamping) must be approved by the home owners' association.
7. Public sidewalks on all lots
8. Uniform location of yard lights or coach lights as determined by the developer
9. Uniform mailboxes as determined by the developer

TRI-NORTH DEVELOPMENT (AREA F)

Miscellaneous Requirements

1. All plans, including exterior colors, to be approved by the individual community's New Construction Committee ("ACC") prior to construction
2. All homes to have minimum 2-car garage
3. No equipment vents allowed on the front of homes
4. No outbuildings or storage sheds allowed
5. All driveways to be concrete. Any modifications (i.e., color changes, stamping) must be approved by the home owners' association.
6. Public sidewalks on all lots
7. Uniform location of yard lights or coach lights as determined by the developer
8. Uniform mailboxes as determined by the developer

GBC DEVELOPMENT (AREA G)

Miscellaneous Requirements

1. No resident storage sheds allowed
2. Public sidewalks shall be provided
3. Uniform exterior lighting as determined by the developer

4. Uniform mailboxes as determined by the developer
5. In Area G-3, like model homes shall be separated by at least one (1) lot and no like model elevations shall be directly across the street from one another. No two (2) adjacent homes shall have the same exterior siding color.
6. Garage Doors:
 - a. For any lot fronting a primary thoroughfare (regardless of lot or building width), if the garage door is equal to or exceeds fifty percent (50%) of the width of the residence, the garage shall be side or rear loading or be recessed a minimum of eight (8) feet behind the front façade;
 - b. Except for any residence on a lot fronting a primary thoroughfare, if the garage door is less than fifty percent (50%) of the width of the residence, the garage may be front loading, but shall not protrude more than thirteen (13) feet from the first floor front façade;
 - c. Side loading or courtyard entry garages shall have two (2) windows located on the front elevation of the garage;
 - d. Front loading garages protruding more than eight (8) feet from the edge of the porch or nearest offset shall have at least one (1) window installed in the garage wall that is perpendicular to the façade of the dwelling.