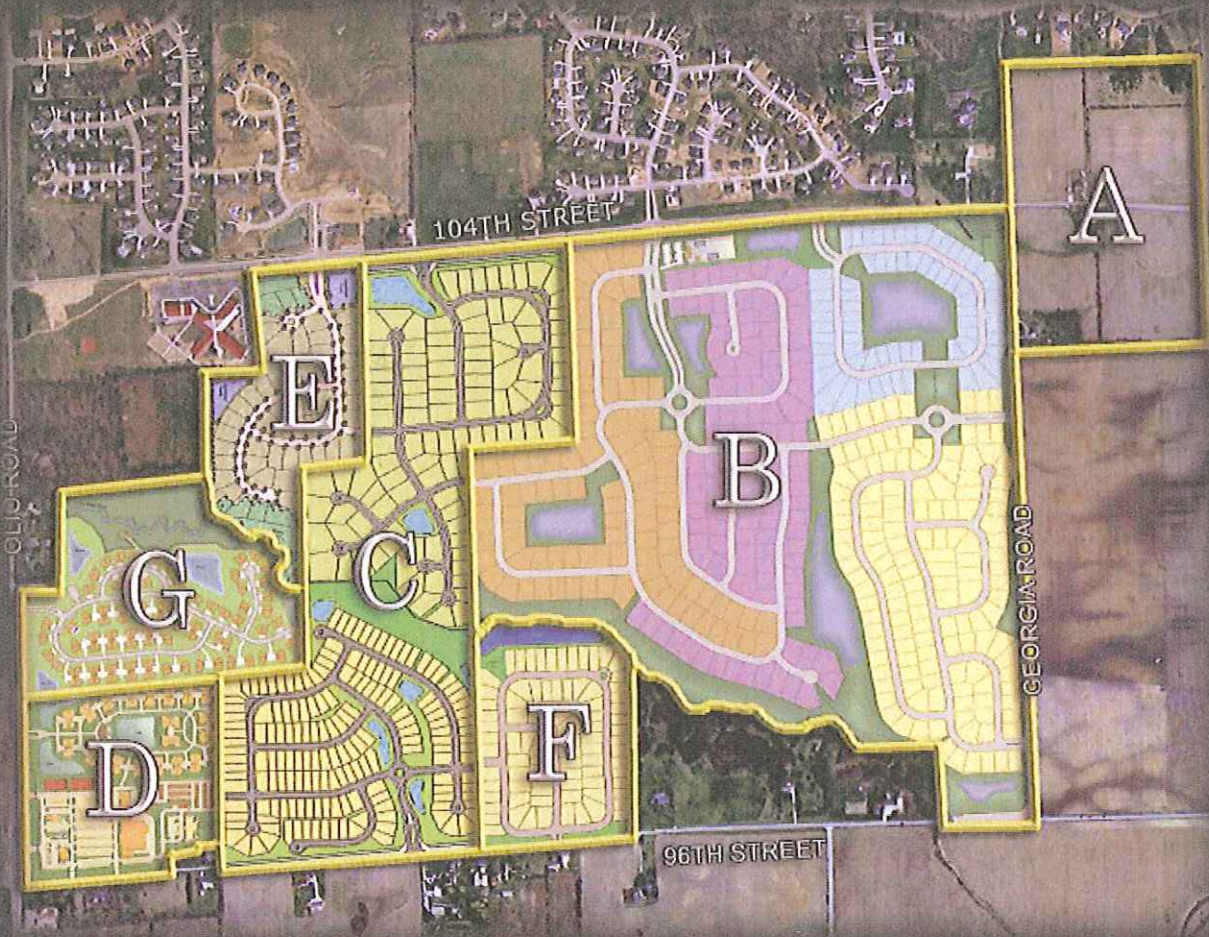

SOUTHEAST FISHERS PLANNED UNIT DEVELOPMENT

FINAL APPROVED PUD ORDINANCE



Last Updated August 6, 2007

BAKER & DANIELS LLP

A firm understanding of your legal needs

Presented by: Steven D. Hardin, Esq.

Carmel Office:
600 East 96th Street, Suite 600
Indianapolis, Indiana 46240
phone 317.569.9600
fax 317.569.4800

Noblesville Office:
970 Logan Street
Noblesville, Indiana 46060
phone 317.776.8668
fax 317.569.4800

ORDINANCE NO. 061807

**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, 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. 4-TA-07 as required by law in regard to the application filed by Macs Landing, LLC (the "Developer") to amend the Southeast Fishers PUD; and,

WHEREAS, the Plan Commission at its July 10, 2007 meeting sent a favorable recommendation to the Town of Fishers Town Council by a vote of nine (9) in favor and zero (0) opposed;

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 Mill Ridge Farms of Brooks Park, is located within Area B-2 (Active-Adult Detached) of the originally approved Southeast Fishers PUD.

SECTION 2. The "**Development Standards Matrix**", as set forth in Exhibit H of the Southeast Fishers PUD and applicable to the Real Estate, is hereby amended to require a

minimum building separation of ten feet (10') and minimum side yard setback of five feet (5') for Area B-2 (Active-Adult Detached).

SECTION 3. The "Active Adult Features (Areas B-2, C-2, D-1 and G)" of "**The Landscaping, Architecture and Parking Standards**", as set forth in Exhibit I of the Southeast Fishers PUD and applicable to the Real Estate, is hereby replaced and superseded (with new language underlined) as follows:

Area B-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 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.

SECTION 4. The "Project Specific Additional Standards: Asset Midwest (Area B)" of "**The Landscaping, Architecture and Parking Standards**", as set forth in Exhibit I of the Southeast Fishers PUD and applicable to the Real Estate, is hereby supplemented to also require:

- 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.
- 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:
"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."

SECTION 5. The "Active Adult Residential Architecture Standards (Areas B-2, C-2, D-1 and G)" of "**The Landscaping, Architecture and Parking Standards**", as set forth in Exhibit I of the Southeast Fishers PUD and applicable to the Real Estate, is hereby supplemented to clarify (with new language underlined) the following:

All residential units that immediately abut (e.g., within 200') and back up to either 104th Street, Olio Road, Georgia Road 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.

SECTION 6. The "Landscaping: Perimeter Planting Standards: Area B" of "**The Landscaping, Architecture and Parking Standards**", as set forth in Exhibit I of the Southeast Fishers PUD and applicable to the Real Estate, is hereby supplemented to also require:

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).

SECTION 7. The Developer shall include the Hamilton Southeastern Utility ("HSE") Georgia Road lift station property, more particularly described in Exhibit B attached hereto (the "HSE Parcel"), on the Real Estate's secondary plat, subject to HSE's approval. A lack of approval by HSE to be included on the secondary plat shall not cause the plat to otherwise be nonconforming and the plat shall be reviewed and may be recorded without the HSE Parcel. The Developer shall exempt the HSE Parcel from being regulated by the Real Estate's covenants and restrictions.

SECTION 8. 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 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.

SECTION 9. 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. All provisions or parts thereof in conflict herewith are hereby repealed.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Town Council this 6th day of August, 2007.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

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

ATTEST: Linda Gaye Cordell
Linda Gaye Cordell, Clerk-Treasurer,
The Town of Fishers, Indiana

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,
600 East 96th Street, Suite 600, Indianapolis, Indiana 46240

ORDINANCE NO. 100305E

**AN ORDINANCE AMENDING THE ZONING
ORDINANCE OF FISHERS, INDIANA - 1980.**

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF FISHERS, INDIANA - 1980. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FISHERS, INDIANA, THAT THE ZONING ORDINANCE, A PART OF THE COMPREHENSIVE PLAN AND ORDINANCE - 1980, ORDINANCE NO. 110380, AS AMENDED, IS HEREBY AMENDED AS FOLLOWS:

SECTION 1. DECLARATION

That the text of the Zoning Code of the Town of Fishers, Indiana, Ordinance No. 110380, and the Official Zoning Map, Town of Fishers, Indiana, dated November 3, 1980, which accompanies and is part of the Zoning Code of the Town of Fishers, Indiana, as amended, and Fishers Ordinance No. 070605C are hereby amended as follows:

That the Zoning Classification of the following described Real Estate is hereby zoned as PUD-M and this ordinance shall hereinafter be referred to as the Southeast Fishers PUD Ordinance.

SEE "EXHIBIT A" ATTACHED HERETO.

SECTION 2. PURPOSE AND INTENT

The purpose and intent of this PUD-M is to provide an innovative mixed use development which promotes creativity and flexibility in the development of the Real Estate. The Real Estate includes numerous parcels that are identified as Areas B - G on Exhibits B - G attached hereto.

SECTION 3. LAND USE

Area B: All uses of the R-3 zoning classification are permitted in Areas 1, 2 and 3 as identified in the concept plan ("Concept Plan") attached hereto as "Exhibit B."

Area C: All uses of the R3 zoning classification are permitted.

Area D: Attached 2 and 4-unit residential dwellings and all uses described in Section 151.070 Residential District R6 shall be permitted in the residential area ("Residential Area") of the Real Estate as identified in the concept plan ("Concept Plan") attached hereto as "Exhibit D." All uses described in Sections 151.073, 151.074 and 151.075 (C1, C2 and C3) of the Fishers Zoning Code and mini-storage/self-storage uses shall be permitted in the commercial area ("Commercial Area") of the Real Estate as identified on the Concept Plan.

Area E: All uses of the R-3 zoning classification are permitted.

Area F: All uses of the R-3 zoning classification are permitted.

Area G: Two-family dwellings, eight-unit condominium dwellings, and all uses described in Section 151.070 Residential District R6 are permitted.

SECTION 4. CONCEPTUAL DEVELOPMENT PLAN.

The Concept Plans, attached hereto as "Exhibits B-G", are adopted as part of this ordinance. Adoption of the Concept Plans, however, does not constitute approval of any detailed and final development plans; such further approval is subject to the procedures set out in Section 6, below.

SECTION 5. DEVELOPMENT STANDARDS.

Residential. The residential bulk and density standards are set out in the Development Standards Matrix attached hereto as "Exhibit H" and adopted as part of this ordinance. The landscaping, architecture and parking standards are attached hereto as "Exhibit I" and adopted as part of this ordinance.

Commercial. For Area D-2, no single retail use may exceed 65,000 square feet and no more than 90,000 square feet in total of retail use shall be allowed. Minimum building set backs shall be: front yard – 50'; side yard – 10'; rear yard – 20'. Except where in conflict with this ordinance (in which event, this ordinance will control), all other bulk and density standards shall be consistent with the C2 development standards numbered (2) – (6) as set forth in the Fishers Zoning Code as of this date.

All Areas. The development, landscaping and parking standards set forth herein replace the otherwise applicable standards set forth in the Fishers zoning code.

SECTION 6. PROCEDURES.

The adoption of this ordinance and the subsequent consideration of any detailed and final development Plan shall be consistent and pursuant to the provisions of the Planned Unit Development process as set forth in Section 151.072 Planned Unit Development District.

SECTION 7. APPROVAL

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. All provisions or parts thereof in conflict herewith are hereby repealed.

ADOPTED BY THE Town Council of the Town of Fishers, Indiana on this 19th day of December, 2005.

THE TOWN COUNCIL OF FISHERS, HAMILTON COUNTY, INDIANA

AYE		NAY
BY: <u>Scott A. Faultless</u>	Scott A. Faultless, President	_____
<u>Eileen Pritchard</u>	Eileen N. Pritchard, Vice President	_____
<u>Timothy O. Lima</u>	Timothy O. Lima, Member	_____
<u>Stuart F. Easley</u>	Stuart F. Easley, Member	_____
<u>Dan E. Henke</u>	Dan E. Henke, Member	_____
<u>Charles P. White</u>	Charles P. White, Member	_____
<u>David C. George</u>	David C. George Member	_____

ATTEST: Linda Gaye Cordell
Linda Gaye Cordell, Clerk-Treasurer,
The Town of Fishers, Indiana 100305E

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

Prepared by: Steven D. Hardin, Esq.
Bingham McHale LLP
970 Logan Street
Noblesville, IN 46060
(317) 776-8650

SOUTHEAST FISHERS PLANNED DEVELOPMENT
Development Standards Matrix
Residential

Area Land Use	A Single-Family	B-1 Single-Family	B-2 Active-Adult Detached	B-3 Single-Family	C-1 Single-Family	C-2 Active-Adult Detached	D-1 Active-Adult 4-unit	E Single-Family	F Single-Family	G-1 Active-Adult 2-unit	G-2 Active-Adult Townhomes	G-3 Active-Adult Detached	TOTAL	R3 Single-Family
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			2.30	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'	95' ³	70'	90'	90'	55' ⁴	N/A	90'	68'	90' ⁵	no min.	45'		90'
Min. Lot Depth	130'	130'	130'	130'	130'	120'	N/A	130'	130'	125'	no min.	125'		120'
Min. Front Yard	40'	25'	25'	25'	25'	25'	15'	25'	25'	20'	10'	20'		30'
Min. Side Yard	15'	5'/15' ⁶	5'/15'	5'/15'	5'/15'	6'/12'	20' ⁷	5'/15'	5'/15'	10' ⁷	10' ⁷	5'/10'		10'
Min. Rear Yard	40'	30'	30'	30'	30'	30'	20'	30'	30'	25'	no min.	25'		30'
Min. Living Space (SF) ⁸	1,500/1,800	2,000/2,400	1,900	1,900/2,400	2,000/2,400	1,350/1,400 ⁹	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 ¹⁰	35'/20'	35'/25'	35'/25'	35'/25'	35'/25'	35'/25'	35'/25'	35'/25'	35'/25'	35'	40'	35'/35'		35'/25'
Min. Parking Spaces ¹¹	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	10 ACRES ¹²				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 Refers to minimum building separation
⁸ Refers to 1-story/2-story square footage minimum unless otherwise noted (and does not include basements)
⁹ Refers to 1 1/2 story minimum square footage
¹⁰ Refers to maximum building height for primary/accessory structures
¹¹ Refers to minimum off-street parking spaces and includes the number of spaces inside a garage and on a driveway
¹² 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 Features:

- 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-story units.

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) story¹ units, no two story units shall be permitted
- a minimum of thirty five percent (35%) of the homes shall be one-story

Area D-1 Active Adult Features:

- 4-unit attached 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

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

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 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.
- 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:

EXHIBIT I

- 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:**

EXHIBIT I

- 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 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

EXHIBIT I

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.
 - 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.

EXHIBIT I

- 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)

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
 - 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

EXHIBIT I

- 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.

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

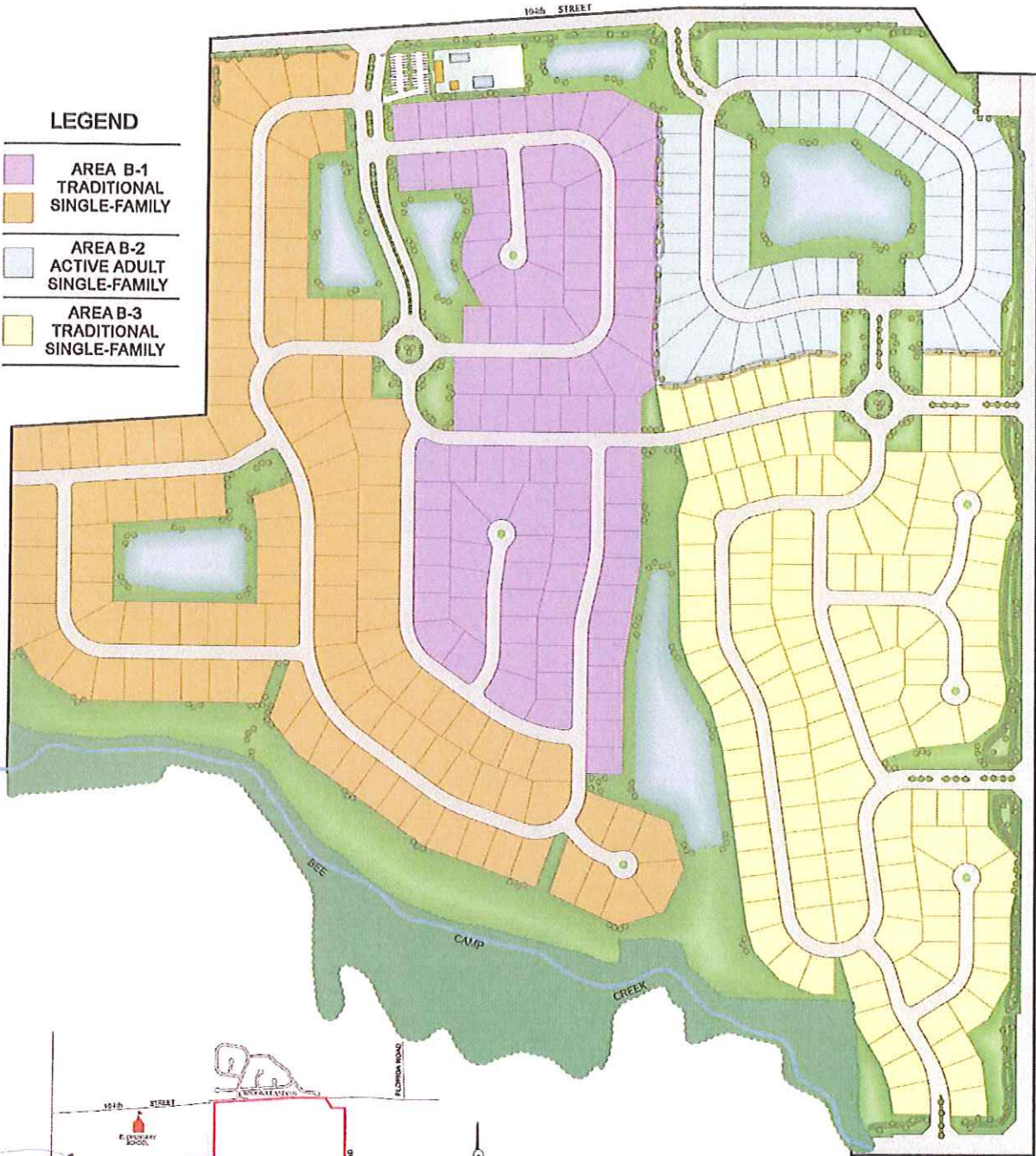
1. No resident storage sheds allowed
2. Public sidewalks shall be provided
3. Uniform exterior lighting as determined by the developer
4. Uniform mailboxes as determined by the developer
5. In Area G-3, like model homes shall be separated by at least one (1) lot and no like model elevations shall be 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.

SOUTHEAST FISHERS PUD

Area "B" Amendment

LEGEND

- AREA B-1
TRADITIONAL
SINGLE-FAMILY
- AREA B-2
ACTIVE ADULT
SINGLE-FAMILY
- AREA B-3
TRADITIONAL
SINGLE-FAMILY



BROOKS PARK
Country Homes in a Park Setting

Stoppelweath & Associates, Inc.
CONSULTING ENGINEERS LAND SURVEYORS
3175 200 STREET, P.O. BOX 1000
HAMILTON COUNTY, GA 31306

TIMBERSTONE

Fishers, Indiana

Prepared for
 Precedent Residential Development, LLC
 Prepared by:
 Falcon Engineering, Inc.



Area C



TIMBERSTONE

AREA	# of LOTS	SECTION AREA	DENSITY	BUFFER AREA	POND AREA	OPEN SPACE AREA
			Units/Acre	AC.	AC.	AC.
Custom - Area 1	109 Lots	84.18 AC.	1.70	0.54 AC.	1.88 AC.	3.79 AC.
Active Adult - Area 2	171 Lots	60.12 AC.	2.84	0.69 AC.	1.88 AC.	12.86 AC.
Residential Totals	280 Lots	124.30 AC.	2.25	1.23 AC. 0.99 %	3.56 AC. 2.86 %	16.65 AC. 13.40 %

Note: Subject to change without notice.

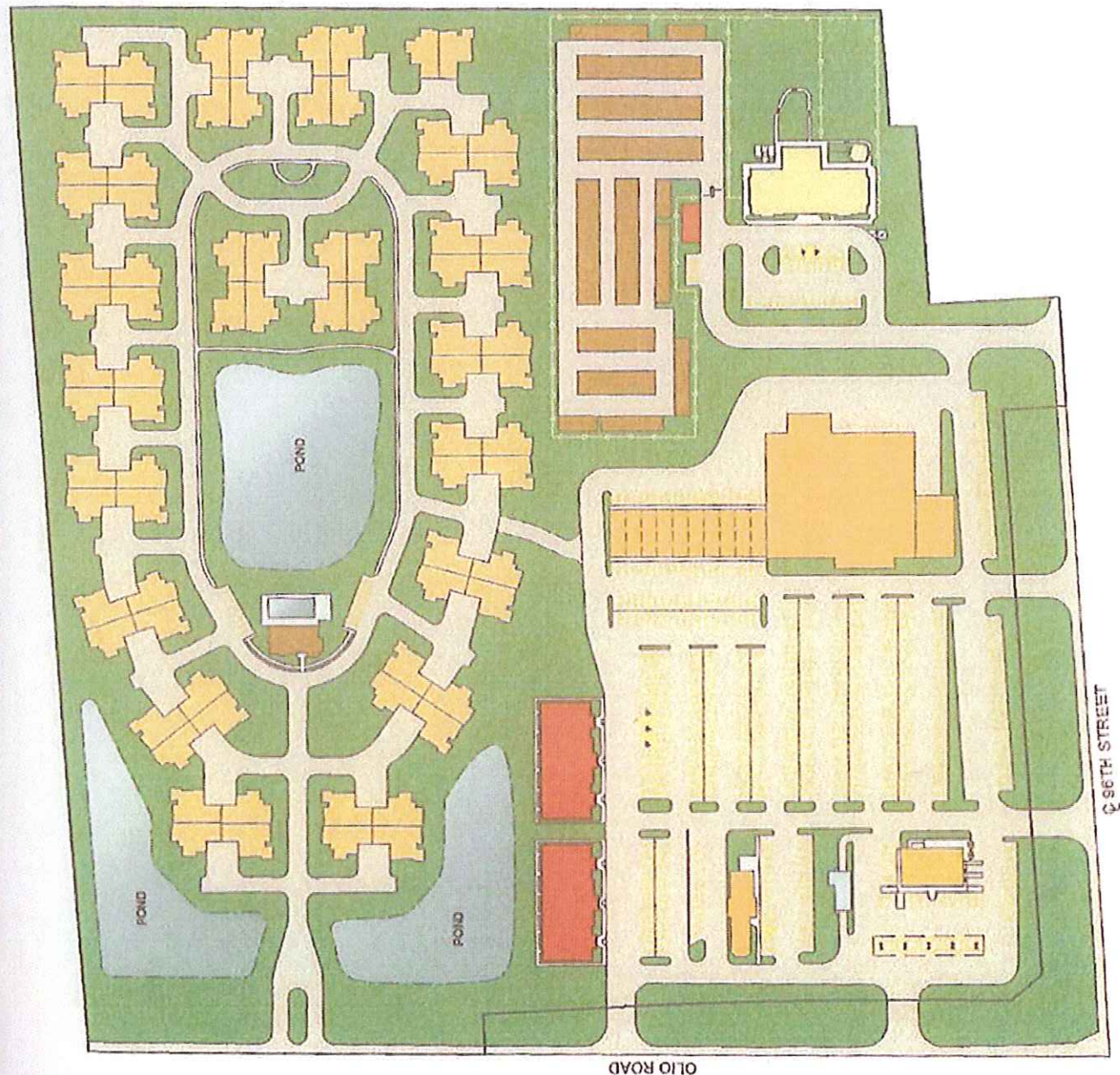


Steepelandt & Associates, Inc.
CONSULTING ENGINEERS ARCHITECTS
1000 ...

LEGEND

	LAKE AREA
	COMMON AREA
	STREETS
	SIDEWALKS
	AMENITY AREA

SITE PLAN

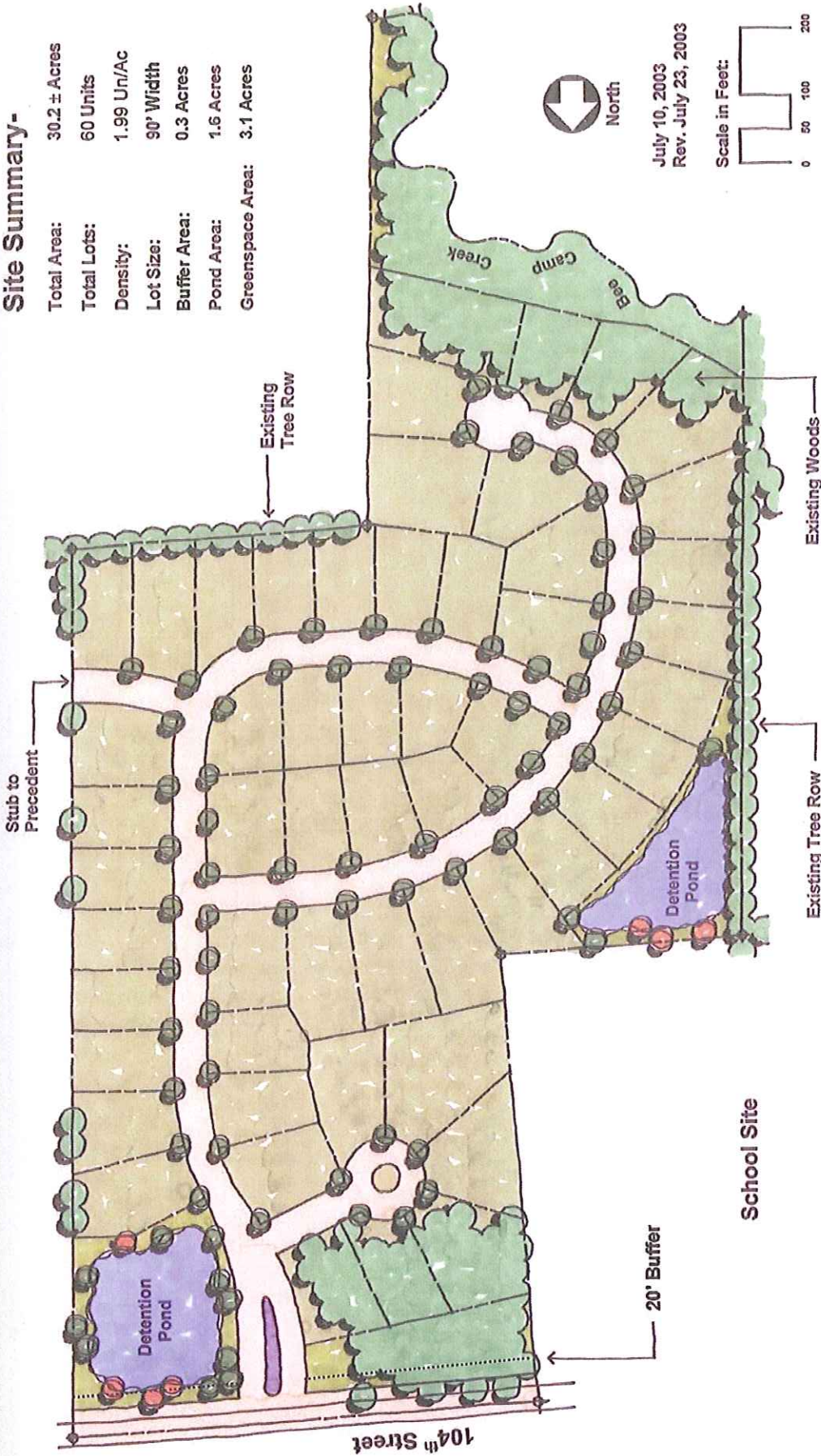


OLIO ROAD

66TH STREET

Site Summary-

Total Area:	30.2 ± Acres
Total Lots:	60 Units
Density:	1.99 Un/Ac
Lot Size:	90' Width
Buffer Area:	0.3 Acres
Pond Area:	1.6 Acres
Greenspace Area:	3.1 Acres



July 10, 2003
Rev. July 23, 2003

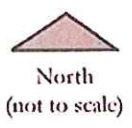
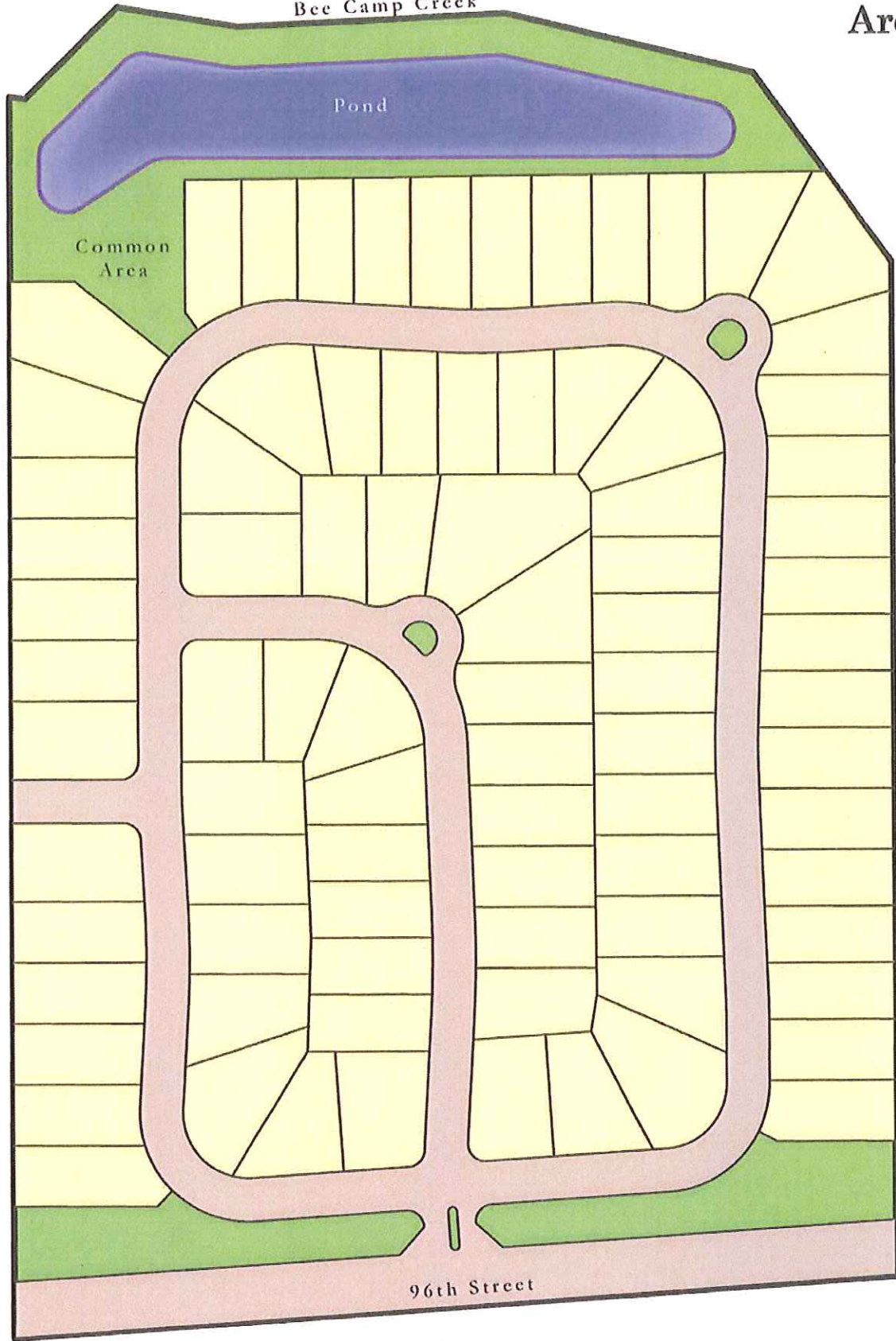
Prepared For:
Shamrock BUILDERS
Prepared By:
HempDesign

Concept Plan

Shamrock Parcel
Fishers, Indiana

Bee Camp Creek

Area F



Site Summary

Total lots	84 lots	Common area	5.13 ac.
Total acreage	33.7 ac.	Pond area	2.03 ac.
Density	2.49 u/a	20' buffer area	0.41 ac.

UNITS AS SHOWN ON CONCEPT PLAN:
 AREA G2: 137 UNITS
 AREA G1/G3: 101 UNITS

SCALE: 1"=200'

HILLSDALE

BEE CREEK
 CAMP CREEK

MULTI-USE
 PATH

AREA G1/G3

AMENITY
 AREA

DETENTION POND

AREA G2

DETENTION POND

DETENTION POND

OLIO ROAD

25' LANDSCAPE BUFFER

CONCEPT PLAN
 for
AMBRIA AT GEIST
 SOUTHEAST FISHERS PUD - AREA G
 FISHERS, INDIANA


Prepared For:
BUCKINGHAM COMPANIES, AMO
 333 N. PENNSYLVANIA STREET
 INDIANAPOLIS, IN 46204
 PH: (317) 634-1238
 CONTACT: DAVID E. LEAZENBY

Prepared By:
EMFT
 Environmental Management
 & Technology, Inc.
 10000 N. Meridian Street
 Indianapolis, IN 46260
 PH: (317) 552-1100
 FAX: (317) 552-1101
 WWW.EMFT.COM

DATE:
 08-16-05
 SHEET
 1 of 1

SOUTHEAST FISHERS PUD

Area "B" Architecture Exhibit

 Lots subject to 96th/104th Street and Georgia Road architectural standards

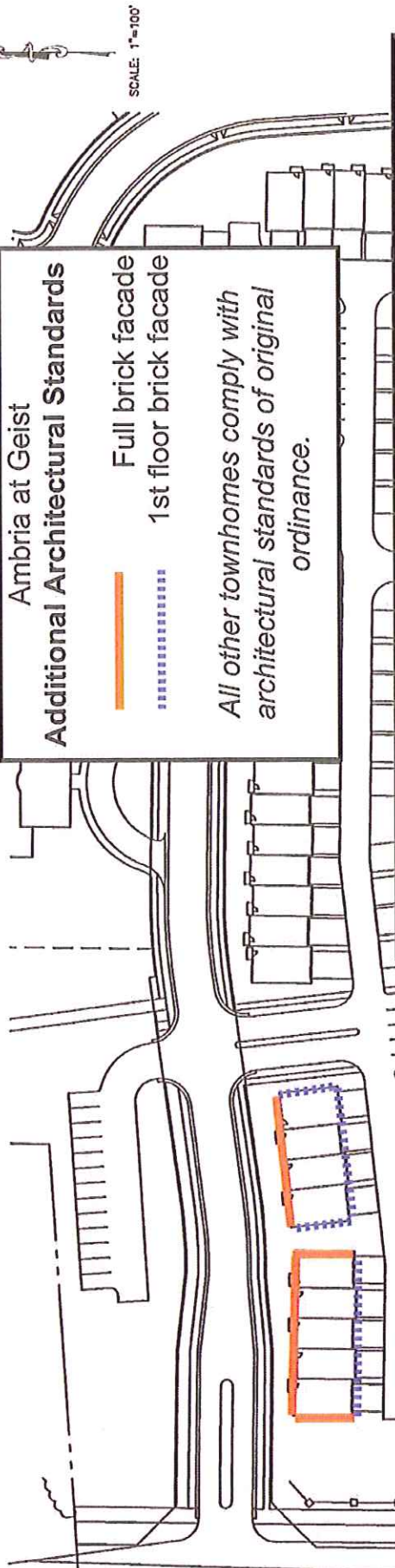
LEGEND

-  AREA B-1
TRADITIONAL
SINGLE-FAMILY
-  AREA B-2
ACTIVE ADULT
SINGLE-FAMILY
-  AREA B-2
ACTIVE ADULT
SINGLE-FAMILY
-  AREA B-3
TRADITIONAL
SINGLE-FAMILY



BROOKS PARK
Country Homes in a Park Setting


Steepelworth & Associates, Inc.
CONSULTING ENGINEERS LAND SURVEYORS
1375 BRADLEE PARK DRIVE, BRADLEE, GA 30512
PH: 706/534-1111 FAX: 706/534-1112



Ambria at Geist
Additional Architectural Standards

- Full brick facade
- - - - - 1st floor brick facade

All other townhomes comply with architectural standards of original ordinance.

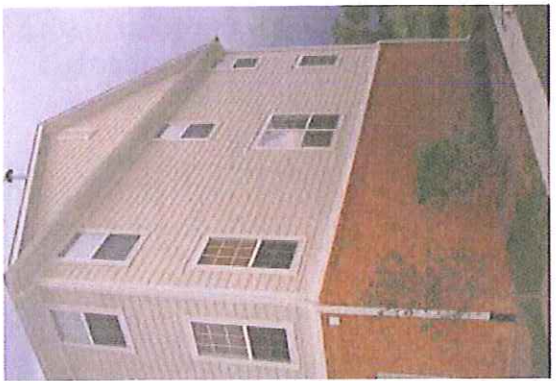
SCALE: 1"=100'

Conceptual elevations

Full brick facade



1st floor brick facade



AMBRIA

This image is a conceptual representation of the townhome building for Area G-1 of Ambria at Geist subject to the requirements of the approved PUD Ordinance.



AMBRIA

These images are conceptual representations of the active adult detached buildings for Area G-3 of Ambria at Geist subject to the requirements of the approved PUD Ordinance.



AMBRIA

This image is a conceptual representation of the active adult two-unit building for Area G-2 of Ambria at Geist subject to the requirements of the approved PUD Ordinance.

