

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>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Scott A. Faultless, President		
<u>Eileen Pritchard</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Eileen N. Pritchard, Vice President		
<u>Stuart F. Easley</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Timothy O. Lima, Member		
<u>Stuart F. Easley</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Stuart F. Easley, Member		
<u>Charles P. White</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Dan E. Henke, Member		
<u>Charles P. White</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ Charles P. White, Member		
<u>David C. George</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
_____ David C. George, Member		

ATTEST: Linda Gray Cordell
Linda Gray 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 PUD
LEGAL DESCRIPTIONS**

1 – Area A

Part of Parcel 13-16-07-00-00-006
Charles and Nancy Burk

The Northeast Quarter of the Northwest Quarter of Section 7, Township 17 North, Range 6 East in Hamilton County, Indiana. Except eight and one-half (8 ½) acres of uniform width off the entire North end thereof, which is part of the Valleys of Geist, Section One recorded as Instrument #9809867717 in Plat Cabinet 2, Slide 195 in the Office of the Recorder of Hamilton County, Indiana, containing 31.5 acres, more or less. ALSO INCLUDING: The entire width of the right-of-way of Florida Road and 104th Street that is contiguous with the above-described real estate. Subject to all legal easements and rights-of-way.

2 – Area A

Part of Parcel 13-16-07-00-00-006
Charles and Nancy Burk

The Southeast Quarter of the Northwest Quarter of Section 7, Township 17 North, Range 6 East in Hamilton County, Indiana. Except fourteen (14) acres of uniform width off the entire South end thereof, containing 26 acres, more or less. ALSO INCLUDING: The entire width of the right-of-way of Georgia Road and 104th Street that is contiguous with the above described real estate. Subject to all legal easements and rights-of-way

3, 4, & 5 – Area B

Part of the Southeast and Northeast Quarters of Section 12, Township 17 North, Range 5 East and part of the Southwest and Northwest Quarters of Section 7, Township 17 North, Range 6 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the said Southeast Quarter; thence North 86 degrees 22 minutes 46 seconds East (assumed bearing) along the South line of said Southeast Quarter 330.00 feet to the West line of Instrument Number 2000-52921 recorded in the office of the Recorder of Hamilton County, Indiana (the next three courses are along the West and North lines of said Instrument); (1) thence parallel with the West line of the Southeast Quarter of said Section 12 North 00 degrees 14 minutes 20 seconds East 1426.00 feet to the approximate centerline of Bee Camp Creek and the POINT OF BEGINNING; (2) thence continuing parallel with the West line of said Southeast Quarter North 00 degrees 14 minutes 20 seconds East 1215.73 to the North line of said Southeast Quarter; (3) thence along said North line North 85 degrees 54 minutes 00 seconds East 689.70 feet to the Southwest corner of Instrument 2000-45044, recorded in said Recorder's Office (the next two courses are along the West and North lines of said Instrument Number 2000-45044); (1) thence parallel with the East line of the Southwest Quarter of the Northeast Quarter of said Section 12 North 00 degrees 11 minutes 41

EXHIBIT "A"

seconds East 1323.75 feet to the North line of the Southwest Quarter of said Northeast Quarter; (2) thence along said North line and along the North line of the Southeast Quarter of said Northeast Quarter North 85 degrees 39 minutes 21 seconds East 1679.05 feet to the Northeast corner of the Southeast Quarter of said Northeast Quarter; thence along the East line of said Northeast Quarter South 00 degrees 09 minutes 02 seconds West to the North line of the Southwest Quarter of the Northwest Quarter of said Section 7; thence Easterly along said North line to the Westerly corner of Instrument Number 98-53770, recorded in said Recorder's Office, and the intersection with an open ditch, which point bears 380.0 feet Westerly of the Northeast corner of the Southwest Quarter of said Northwest Quarter; thence Southeasterly along said open ditch and along the Southwesterly line of said Instrument Number 98-53770 to its intersection with the East line of the Southwest Quarter of said Northwest Quarter, which point bears 237.0 Southerly feet of the Northeast corner of the Southwest Quarter of said Northwest Quarter; thence along the East lines of the Northwest and Southwest Quarters of said Section 7 South 00 degrees 17 minutes 16 seconds East to the South line of said Southwest Quarter; thence along said South line South 89 degrees 30 minutes 50 seconds West 647.01 feet to the Southeast corner of Instrument Number 9107394, recorded in said Recorder's Office (the next 2 courses are along the East and North lines of said Instrument Number 9107394); (1) thence parallel with the West line of said Southwest Quarter North 00 degrees 09 minutes 02 seconds East 535.70 feet; (2) thence parallel with the South line of said Southwest Quarter South 89 degrees 30 minutes 50 seconds West 634.00 feet to the West line of said Southwest Quarter; thence along said West line North 00 degrees 09 minutes 02 seconds East 111.89 feet to the South line of said Instrument Number 2000-53921 (the next five courses are along the Southerly lines of said Instrument Number 2000-53921); (1) thence South 71 degrees 43 minutes 31 seconds West 274.35 feet; (2) thence North 59 degrees 05 minutes 20 seconds West 242.28 feet; (3) thence North 76 degrees 17 minutes 12 seconds West 501.03 feet; (4) thence North 54 degrees 43 minutes 45 seconds West 434.90 feet; (5) thence North 37 degrees 24 minutes 21 seconds West 58.86 feet to the West line of the East Half of said Southeast Quarter; thence along said West line North 00 degree 11 minutes 40 seconds East 21.24 feet to the approximate centerline of Bee Camp Creek (the next six courses traverse the approximate center line of Bee Camp Creek); (1) thence North 36 degrees 00 minutes 00 seconds West 269.54 feet; (2) thence North 76 degrees 15 minutes 00 seconds West 295.00 feet; (3) thence South 87 degrees 30 minutes 00 seconds West 309.00 feet; (4) thence North 80 degrees 30 minutes 00 seconds West 141.00 feet; (5) thence South 45 degrees 15 minutes 00 seconds West 149.00 feet; (6) thence North 83 degrees 00 minutes 00 seconds West 18.50 feet to the Point of Beginning, containing 247 acres, more or less.

Subject to all legal easements and rights of way of record.

The above description was prepared from record deeds and previous surveys for zoning purposes only, and is not intended to be used in any conveyance document for transfer of title.

6 – Area C

A Part of the Southwest Quarter of the Northeast Quarter and a part of the Southeast Quarter of the Northwest Quarter of Section 12, Township 17 North, Range 5 East, of the Second Principle Meridian, Fall Creek Township, Hamilton County, Indiana and more particularly described as follows: Beginning at the Northwest Corner of the Southwest Quarter of the Northeast Quarter of said Section 12 thence North 85 degrees 45 minutes 04 seconds East along the North line of said Quarter-Quarter 1019.48 feet to the Northwest corner of the land owned by 104th Street Properties, Inc. per the Memorandum of Land Contract recorded as Instrument Number 200000045044 in the Office of the Hamilton County Recorder; thence South 00 degrees 09 minutes 44 seconds West along the west line of said property owned by 104th Street Properties, Inc. 1828.14 feet to the South line of Southwest Quarter-Quarter; thence South 85 degrees 50 minutes 29 seconds West along said South line 1019.12 feet the Center Quarter corner of said Section 12, thence South 85 degrees 58 minutes 09 seconds West along the south line of the Southeast Quarter of the Northwest Quarter of said Section 12 a distance of 329.52 feet; thence North 00 degrees 09 minutes 06 seconds East parallel with the East line of said Southeast Quarter-Quarter 1324.41 feet to the 21 seconds East along said North line 329.68 feet to the Point of Beginning and containing 40.969 acres, more or less. Subject to all legal easements, rights of ways and other servitudes.

ALSO INCLUDING: A Part of the South Half of Section 12, Township 17 North, Range 5 East, of the Second Principle Meridian, Fall Creek Township, Hamilton County, Indiana and more particularly described as follows: Beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 12 thence North 00 degrees 17 minutes 33 seconds East along the West line of said Southwest Quarter-Quarter 1318.57 feet to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 12; thence South 86 degrees 09 minutes 37 seconds West along the South line of said Northeast Quarter-Quarter 759.00 feet; thence North 00 degrees 18 minutes 03 seconds East 1316.05 feet to the North line of said Northeast Quarter-Quarter; thence North 85 degrees 58 minutes 09 seconds East along said North line 759.00 feet to file Center Quarter corner; thence North 85 degrees 50 minutes 29 seconds East along the North line of the Northwest Quarter of the Southeast Quarter of said Section 12 a distance of 330.00 feet; thence South 00 degrees 17 minutes 16 seconds West 2640.17 feet to the South line of said Southeast Quarter; thence South 86 degrees 22 minutes 04 seconds West along said South line 330.00 feet to the Point of Beginning and containing 42.827 acres, more of less. Subject to all easements, right of ways and other servitudes.

ALSO INCLUDING: The Southeast Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 5 East, of the Second Principle Meridian, Fall Creek Township, Hamilton County, Indiana and more particularly described as follows: Beginning at the Southeast corner of said Southeast Quarter-Quarter thence South 86 degrees 21 minutes 03 seconds West along the South line of said Southeast Quarter-Quarter 1344.81 feet to the Southwest corner of said Southeast Quarter-Quarter; thence North 00 degrees 23 minutes 00 seconds East along the west line of said Southeast Quarter-Quarter 1314.24 feet to the Northwest corner of said Southeast Quarter-Quarter; thence North 86 degrees 09 minutes 37 seconds East along the North line of said Southeast Quarter-Quarter 1343.04 feet to the Northeast corner of said Southeast Quarter-Quarter; thence South 00 degrees 17 minutes 33 seconds West along the East line of said

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Southeast Quarter-Quarter 1318.57 feet to the Point of Beginning and containing 40.511 acres, more or less. Subject to all easements, right of ways and other servitudes.

7 – Area D

A Part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Quarter, Quarter Section; thence North 00 degrees 28 minutes 13 seconds East along the West line of said Quarter, Quarter Sections 868.70 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 28 minutes 13 seconds East along said West line 441.17 feet to the Northwest corner of said Quarter, Quarter Section; thence North 86 degrees 08 minutes 32 seconds East along the North line of said Quarter, Quarter Section 1,342.79 feet to the Northeast corner of said Quarter, Quarter Section 689.87 feet; thence South 89 degrees 59 minutes 59 seconds West 613.66 feet; thence North 75 degrees 03 minutes 28 seconds West 261.27 feet; thence North 55 degrees 36 minutes 07 seconds West 156.07 feet, thence North 89 degrees 31 minutes 47 seconds West 343.82 feet to the place of beginning. Containing 18.059 acres.

ALSO INCLUDING: A part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Quarter, Quarter Section; thence North 00 degrees 28 minutes 13 seconds East along the West of said Quarter, Quarter Section 801.65 feet to the POINT OF BEGINNING of this description; thence continuing North 00 degrees 28 minutes 13 seconds East along said West line 67.05 feet; thence South 89 degrees 31 minutes 47 seconds East 343.82 feet; thence South 55 degrees 36 minutes 07 seconds East 156.07 feet; thence South 75 degrees 03 minutes 28 seconds East 261.27 feet; thence North 89 degrees 59 minutes 59 seconds East 65.49 feet; thence South 00 degrees 23 minutes 22 seconds West 182.60 feet; thence South 65 degrees 37 minutes 25 seconds East 106.69 feet; thence South 89 degrees 48 minutes 34 seconds East 450.68 feet to the East line of said Quarter, Quarter Section; thence South 00 degrees 23 minutes 22 seconds West along said East line 196.11 feet; thence South 86 degrees 19 minutes 41 seconds West 150.00 feet; thence South 00 degrees 23 minutes 22 seconds West 8.53 feet; thence South 86 degrees 19 minutes 41 seconds West 229.39 feet; thence South 03 degrees 00 minutes 19 seconds East 191.00 feet to the South line of said Quarter, Quarter Section; thence South 86 degrees 19 minutes 41 seconds West along said South line 139.66 feet; thence North 03 degrees 40 minutes 19 seconds West 82.02 feet to the northern right-of-way line of County Road 1000N; thence South 86 degrees 19 minutes 41 seconds West along said northern right-of-way line and parallel with the South line of said Quarter, Quarter Section 725.07 feet; thence North 39 degrees 44 minutes 30 seconds West 51.35 feet to the eastern right-of-way line of County Road 600W; thence along said eastern right-of-way line by the next four (4) calls; (1) North 00 degrees 28 minutes 10 seconds East 122.10 feet to the point of curvature of a curve concave westerly, the radius point of said curve being North 89 degrees 31 minutes 50 seconds West 6,633.86 feet from said point; (2) thence northerly along said curve 371.53 feet to the point of tangency of said curve, said point being North 87 degrees 15 minutes 38 seconds East 6,633.86 feet from the radius point of said curve; (3) North 02 degrees 44 minutes 22 seconds West 182.31 feet; (4) South 87 degrees 15 minutes 38 seconds West 51.64 feet to the place of beginning, containing 15.139 acres, more or less.

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ALSO INCLUDING: A part of the Southwest Quarter of the Southwest Quarter of Section 12, Township 17 North, Range 5 East, Hamilton County, Indiana, more particularly described as follows: Commencing at the Southwest corner of said Quarter, Quarter Section; thence North 00 degrees 28 minutes 13 seconds East along the West line of said Quarter, Quarter Sections 868.70 feet; thence South 89 degrees 31 minutes 47 seconds East 343.82 feet; thence South 55 degrees 36 minutes 07 seconds East 156.07 feet; thence South 75 degrees 03 minutes 28 seconds East 261.27 feet; thence North 89 degrees 59 minutes 59 seconds East 65.49 feet to the POINT OF BEGINNING of this description; thence continuing North 89 degrees 59 minutes 59 seconds East 548.17 feet to the East line said Quarter, Quarter Section; thence South 00 degrees 23 minutes 22 seconds West along said East line 228.13 feet; thence North 89 degrees 48 minutes 34 seconds West 450.68 feet; thence North 65 degrees 37 minutes 25 seconds West 106.69 feet; thence North 00 degrees 23 minutes 22 seconds East 182.60 feet to the place of beginning. Containing 2.810 acres, more or less

8 – Area E

Parcel 13-15-12-00-00-004.000; Macs Landing LLC; 9.82 acres of Section Twelve (12), Township Seventeen (17) North, Range Five (5) East in Fall Creek Township, located in Hamilton County, Indiana, containing 9.82 acres more or less. ALSO INCLUDING: The entire width of the right-of-way of 104th Street that is contiguous with the above-described real estate. Subject to all legal easements and rights-of-way.

Parcel 13-15-12-00-00-005.000; Macs Landing LLC; Ten (10) acres of Section Twelve (12), Township Seventeen (17) North, Range Five (5) East in Fall Creek Township, located in Hamilton County, Indiana, containing 10 acres more or less. ALSO INCLUDING: The entire width of the right-of-way of 104th Street that is contiguous with the above-described real estate. Subject to all legal easements and rights-of-way.

Parcel 13-15-12-00-00-017.001; Macs Landing LLC; 22.14 acres of Section Twelve (12), Township Seventeen (17) North, Range Five (5) East in Fall Creek Township, located in Hamilton County, Indiana, containing 22.14 acres more or less, but not including that portion of the parcel described herein located south of Bee Camp Creek.

9 – Area F

Part of the Southeast Quarter of Section 12, Township 17 North, Range 5 East in Hamilton County, Indiana, more particularly described as follows:

Commencing at the Southwest corner of the said Southeast Quarter; thence North 86 degrees 22 minutes 46 seconds East (assumed bearing) along the South line of said Southeast Quarter 330.00 feet to the Point of Beginning marked by a MAG nail; thence North 00 degrees 14 minutes 20 seconds East parallel with the West line of said Southeast Quarter 1426.00 feet to the approximate center line of Bee Camp Creek (the next six courses traverse the approximate center line of Bee Camp Creek); 1) thence South 83 degrees 00 minutes 00 seconds East 18.50 feet; 2) thence North 45 degrees 15 minutes 00 seconds East 149.00 feet; 3) thence South 80 degrees 30 minutes 00 seconds East 141.00 feet; 4) thence North 87 degrees 30 minutes 00 seconds East 309.00 feet; 5) thence South 76 degrees 15 minutes 00 seconds East 295.00 feet; 6) thence South 36 degrees 00 minutes 00 seconds East 269.54 feet to the West line of the East Half of said Southeast Quarter; thence South 00 degrees 11 minutes 40 seconds West of line 1166.19 feet to a MAG nail on the South line of said Southeast Quarter; thence South 86 degrees 22 minutes 46 seconds West along said South line 1020.95 feet to the point of beginning, containing 33.663 acres, more or less. ALSO INCLUDING: The entire width of the right-of-way of 96th Street that is contiguous with the above-described real estate. Subject to all legal easements and rights-of-way.

10 – Area G

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

Commencing at the Northwest corner of said Northwest Quarter-Quarter Section; thence North 85 degrees 57 minutes 34 seconds East along the North line of said Quarter-Quarter Section a distance of 285.26 feet to the POINT OF BEGINNING of this description; thence continuing North 85 degrees 57 minutes 34 seconds East along said North line 1,056.00 feet to the Northeast corner of said Quarter-Quarter Section; thence South 00 degrees 22 minutes 37 seconds West along the East line of said Quarter-Quarter Section a distance of 269.89 feet to the center of Bee Camp Creek as it now exist; thence along said center of Bee Camp Creek by the next 32 courses; 1) North 52 degrees 51 minutes 47 seconds East 36.12 feet; 2) South 76 degrees 39 minutes 05 seconds East 36.60 feet; 3) South 08 degrees 54 minutes 01 seconds East 24.09 feet; 4) South 58 degrees 13 minutes 36 seconds East 31.63 feet; 5) North 59 degrees 03 minutes 07 seconds East 34.82 feet; 6) South 85 degrees 35 minutes 41 seconds East 23.36 feet; 7) South 22 degrees 06 minutes 29 seconds East 32.81 feet; 8) South 48 degrees 38 minutes 35 seconds East 114.14 feet; 9) South 76 degrees 04 minutes 33 seconds East 33.84 feet; 10) North 38 degrees 47 minutes 52 seconds East 49.55 feet; 11) South 68 degrees 06 minutes 38 seconds East 70.57 feet; 12) North 73 degrees 06 minutes 21 seconds East 39.90 feet; 13) South 40 degrees 07 minutes 52 seconds East 41.83 feet; 14) South 13 degrees 34 minutes 51 seconds West 70.42 feet; 15) South 80 degrees 22 minutes 54 seconds East 70.97 feet; 16) South 66 degrees 33 minutes 35 seconds East 32.82 feet; 17) South 12 degrees 45 minutes 11 seconds West 31.11 feet; 18) South 19


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degrees 29 minutes 33 seconds West 27.80 feet; 19) South 47 degrees 20 minutes 53 seconds West 22.16 feet; 20) South 55 degrees 51 minutes 49 seconds West 32.00 feet; 21) South 44 degrees 04 minutes 18 seconds West 21.02 feet; 22) South 15 degrees 18 minutes 15 seconds West 15.37 feet; 23) South 15 degrees 55 minutes 00 seconds East 15.67 feet; 24) South 27 degrees 13 minutes 06 seconds East 28.51 feet; 25) South 02 degrees 32 minutes 32 seconds East 45.21 feet; 26) South 07 degrees 12 minutes 42 seconds East 14.16 feet; 27) South 40 degrees 25 minutes 14 seconds East 14.09 feet; 28) South 70 degrees 07 minutes 33 seconds East 11.94 feet; 29) North 82 degrees 28 minutes 34 seconds East 11.86 feet; 30) North 64 degrees 59 minutes 08 seconds East 34.03 feet; 31) North 84 degrees 31 minutes 18 seconds East 20.73 feet; 32) North 64 degrees 22 minutes 47 seconds East 5.84 feet to the East line of the land described in Instrument No. 83-08426 as recorded in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 22 minutes 38 seconds West along said East line 566.86 feet to the South line of the North Half of said Quarter Section; thence South 86 degrees 09 minutes 12 seconds West along said South line 1,904.06 feet to the Southwest corner of said Northwest Quarter-Quarter Section; thence North 00 degrees 28 minutes 07 seconds East along the West line of said Quarter-Quarter Section 649.81 feet; thence North 85 degrees 57 minutes 34 seconds East parallel to the North line of said Quarter-Quarter Section a distance of 285.26 feet; thence North 00 degrees 28 minutes 07 seconds East parallel to the West line of said Quarter-Quarter Section a distance of 660.00 feet to the place of beginning, containing 47.510 acres, more or less. Subject to all legal highways, rights-of-ways, easements, and restrictions of record.

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
-  AREA B-4
TRADITIONAL
SINGLE-FAMILY



BROOKS PARK
Country Homes in a Park Setting

Stoppelworth & Associates, Inc.
CONSULTING ENGINEERS LAND SURVEYORS
2175 BARKERS FARM ROAD
HAMILTON, OH 45030

TIMBERSTONE

Fishers, Indiana

Prepared for:
Precedent Residential Development, LLC

Prepared by:
Falcon Engineering, Inc.



TIMBERSTONE

AREA	# of LOTS	SECTION AREA	DENSITY	BUFFER	POND	OPEN
			Units/Acre	AREA	AREA	SPACE AREA
Custom - Area 1	109 Lots	64.18 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.	1.68 AC.	12.86 AC.
Residential Totals	280 Lots	124.30 AC.	2.25	1.23 AC.	3.56 AC.	16.65 AC.
				0.99 %	2.86 %	13.40 %






Note: Subject to change without notice.

Area C



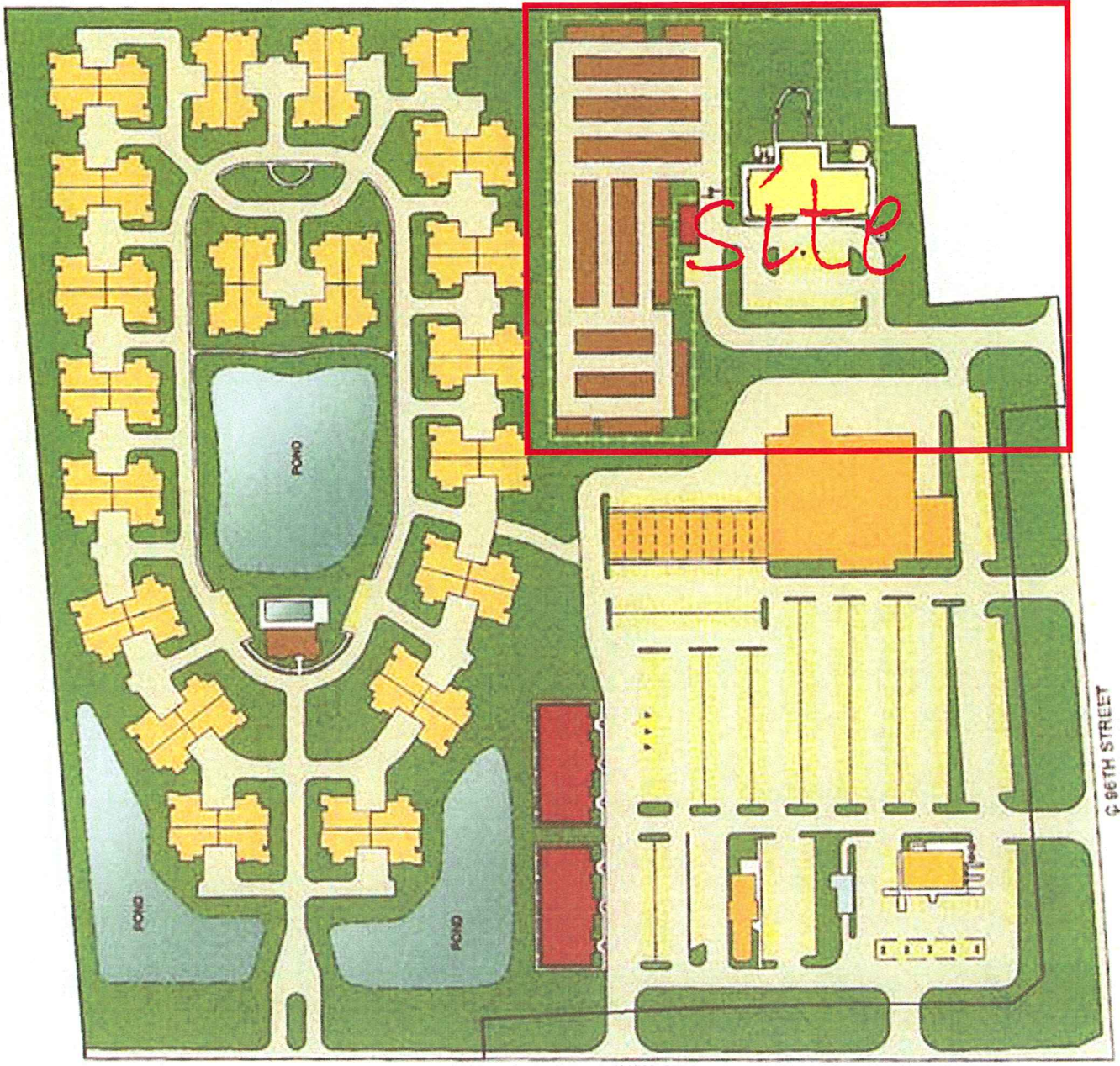
SITE PLAN

LEGEND

	LAKE AREA
	COMMON AREA
	STREETS
	BIKEWALKS
	AMENITY AREA



Sheppardson & Associates, Inc.
COMMERCIAL ARCHITECTS AND PLANNERS
1000 ...

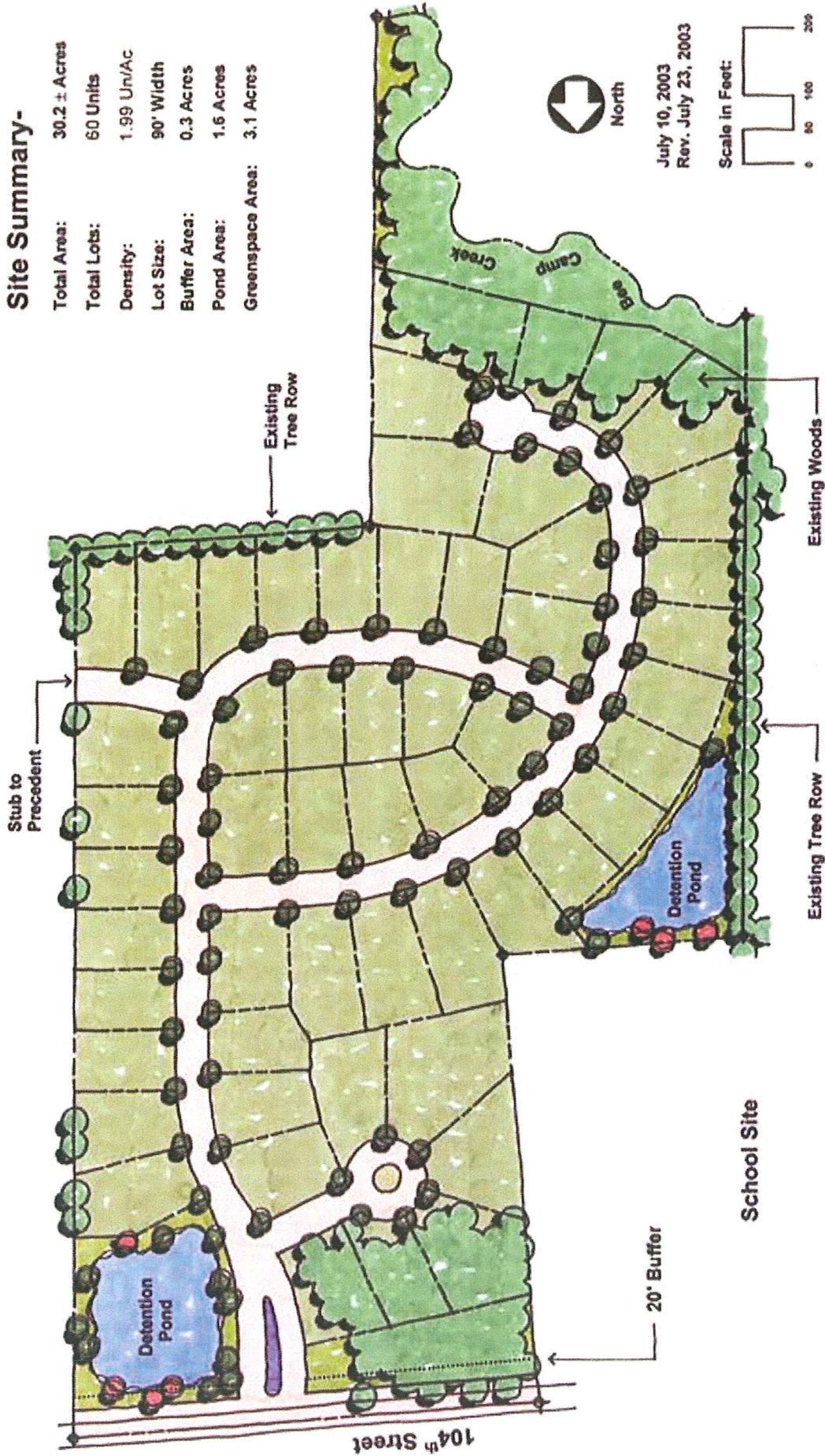


OLIO ROAD

E 96TH 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

Scale in Feet:



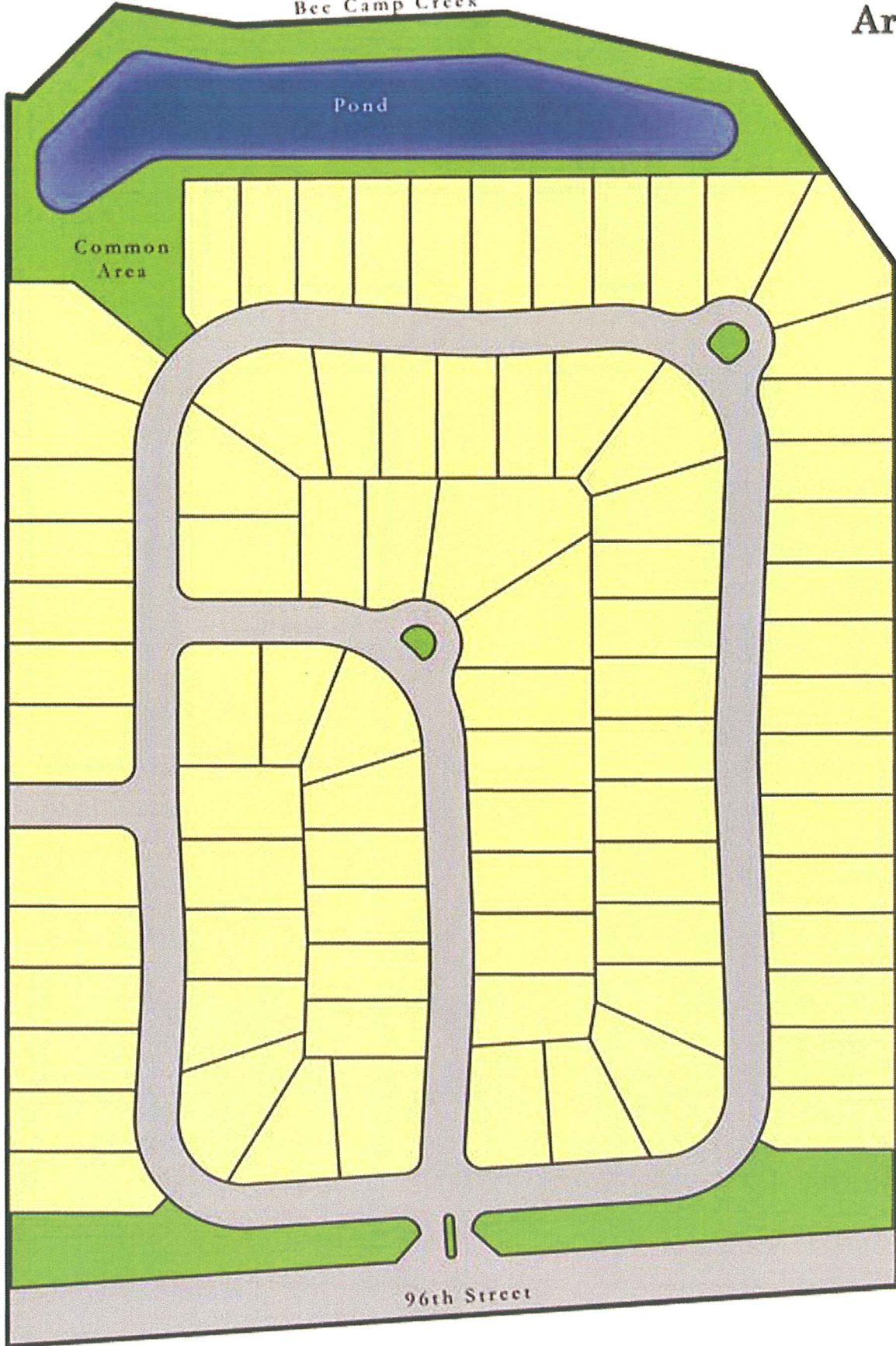
Prepared For:
Shamrock BUILDERS
Prepared By:
HempDesign

Concept Plan

Shamrock Parcel
Fishers, Indiana

Bee Camp Creek

Area F



Common Area

Pond

96th Street

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'

Prepared By: **EMHT**
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Prepared For:
BUCKINGHAM COMPANIES, AMO
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 INDIANAPOLIS IN, 46204
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 CONTACT: DAVID S. LEZENBY

DATE: 09-16-05
 SHEET 1 of 1

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

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	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/Hardi plank type material (no vinyl or aluminum siding is allowed)
- Area C-2: all siding shall be masonry, wood, Cemplank/Hardi plank 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 facade 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 facade 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.

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- 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" 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


Steppelerworth & Associates, Inc.
CONSULTING ENGINEERS LAND SURVEYORS
10775 BAY AVE. SUITE 1000
DALLAS, TEXAS 75244

**Ambria at Geist
Additional Architectural Standards**

-  Full brick facade
-  1st floor brick facade

All other townhomes comply with architectural standards of original ordinance.

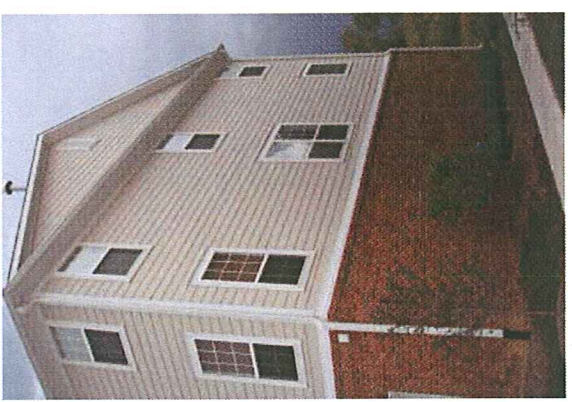
SCALE: 1"=100'

Conceptual elevations

Full brick facade

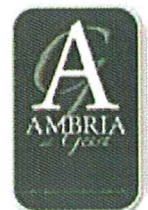


1st floor brick facade



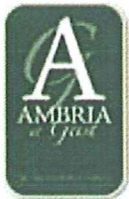
AMBRIA

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.



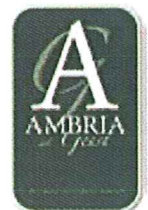
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These images are conceptual representations of the active adult detached buildings for Area G-3 of Ambria at Geist subject to the requirements of the approved PUD Ordinance.



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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.



C1 PERMITTED USES

(B) The following uses shall be permitted in the C1 district. All uses shall conform to the Development Standards as set out in division (C) of this chapter plus all other applicable paragraphs of this chapter and all chapters of the Comprehensive Plan and Subdivision Control Code.

(1) Office or office complex:

- Professional offices
- Bank, savings and loan, financial services
- Real estate, insurance
- Clinic, medical or dental
- Nursing and convalescent homes
- Medical or dental laboratories
- Utility business office
- Business offices related to local services
- Mortuaries

(2) Public and semi-public:

- Libraries
- Community centers
- Governmental offices and buildings, limited to offices or clerical use only
- Fire station
- Civic clubs or recreational facilities
- Parking areas for employees and public use
- Churches

(3) Schools, private and professional:

- Dance
- Music
- Business
- Clerical
- Kindergarten, day nursery
- Arts and crafts

(4) Accessory structures and uses.

(a) Accessory structures and uses shall be allowed which are subordinate, appropriate and incidental to the above permitted primary uses, including supportive services directly related to and in the same building with the primary use, provided no exterior signage announcing such services or advertising to the public shall be permitted. Such permitted supportive services shall include pharmacy accessory to building medical offices, cafeteria, tobacco/candy/newspaper counter and similar uses designed and operated principally for service to building occupants, provided the total area occupied by such accessory shall not exceed 10% of the gross leasable area of the building.

(b) Satellite television receiving-only antennas.

1. Satellite television receiving-only antennas shall be permitted as an accessory structure within the following standards subject to the setback requirements of the business zone.

2. In all business districts a satellite television receiving-only antenna may have a maximum height of 12 feet above the ground, and when located on the roof of a building in a business district shall not exceed the height limitation for the district in which it is located.

3. In a business district a satellite television receiving-only antenna shall not be located within 15 feet of any public right-of-way line.

4. A satellite television receiving-only antenna having printed matter on its surface shall be treated as a sign in conformance with the regulations of the Zoning Code.

5. An improvement location permit shall be required prior to the placement of all satellite television receiving-only antennas within a business district located on the ground of a building lot.

6. All cables and connection from an antenna to other equipment on the premises shall be buried underground when an antenna is located on the ground, or appropriately concealed when an antenna is located on a building.

7. Businesses selling or leasing satellite television receiving-only antennas may display antennas in the front yard of their businesses subject to the restrictions in divisions 1., 3., 5., and 6. of this section. Businesses shall take every precaution to safeguard the public from cables and connections to displayed antennas. All cables and connections shall be located out of the pedestrian walkways and vehicular parking areas and driveways adjacent to the respective business.

(5) Temporary structures and uses. Temporary structures and uses may include temporary signs, fences, walls, buildings, trailers, barricades and similar temporary structures incidental to the development of land during construction. These uses shall be shown and included in the plans and specifications with the application for the improvement location permit for the primary use and shall be removed concurrently with completion of construction of the primary use.

C2 PERMITTED USES

(B) The following uses shall be permitted in the C2 district. All uses shall conform to the Development Standards as set forth in division (C) of this section and all other applicable paragraphs of this section, and all articles and chapters of the Comprehensive Plan and Subdivision Control Code.

(1) All uses allowed in the C1 district.

(2) Shops and markets:

Bakery, retail outlet only

Barber shop

Beauty shop

Dairy — ice cream shop

Drug store

Meat market

Restaurant — A sit-down may have a liquor license if:

(1) Suitable kitchen facilities are on the premises;

(2) A primary use of the restaurant is for sit-down service to patrons;

(3) Adequate seating arrangements for patrons on the premises;

(4) Sale of alcoholic beverages is an incidental use to that of a sit-down restaurant.

- Conventional table service
- Cafeteria
- Delicatessen
- Grocery

(3) Service shops:

- Apparel store
- Appliance store
- Appliance repair
- Shoe repair shop
- Flower and garden shop
- Gift shop
- Jewelry shop
- Dry cleaners, retail outlet only
- Self service laundry and cleaners
- Pet shop
- Post office
- Record shop
- Stationery store
- Variety store
- Millinery shop
- Hardware and paint store
- Tailor shop
- Utilities office, retail service only
- Photographic studios
- Reducing or health salons

(4) Neighborhood shopping center. The neighborhood shopping center may be composed of a mix of the above allowed uses, including the C1 district uses. No single center or complex shall exceed 90,000 square feet of gross floor area.

(5) Auto service stations. Auto service stations shall be allowed when limited to not more than three service bays, and all operations are indoors only. Further, the operation, function, services and sales shall not include the following:

(a) The sale, rental display or storage of new or used motor vehicles, trailers, tractors, machinery or other similar equipment; or merchandise not related to the minor servicing of motor vehicles or for the immediate convenience of customers.

(b) Commercial parking of motor vehicles.

(c) Exterior display or storage of oil, anti-freeze, batteries, tires, and other merchandise or products, other than oil dispensing cabinets located on pump islands.

(d) Major servicing or motor or body repair such as, but not limited to, body or fender work, motor overhaul, major transmission repair, auto glass work, tire recapping, mechanical car washing.

(e) Dismantling or wrecking of motor or other vehicles, or the storage of inoperable, damaged or wrecked vehicles.

(f) A driveway so located and constructed that it permits public traffic movement completely around or behind the service station structure, except where

necessary to provide adequate access to the off-street parking area, building, storage tanks, trash containers and the like, or to adjacent commercial property. Such drive shall be screened by a six-foot high tightly-planted area at the time of occupancy.

(g) Where such driveways are required, landscaping and planting shall be provided to establish screening of the station.

(6) Accessory structures and uses.

(a) Accessory structures and uses, which are subordinate, appropriate and incidental to the above permitted uses, including supportive services related to, and in the same building with, the primary use, provided no exterior signage announces such services or advertises such to the public, shall be allowed.

(b) Satellite television receiving-only antennas.

1. Satellite television receiving-only antennas shall be permitted as structures within the following standards subject to the setback requirements of the business zone.

2. In all business districts a satellite television receiving-only antenna may have a maximum height of 12 feet above the ground, and when located on the roof of a building in a business district shall not exceed the height limitation for the district in which it is located.

3. In a business district a satellite television receiving-only antenna shall not be located within 15 feet of any public right-of-way line.

4. A satellite television receiving only antenna having printed matter on its surface shall be treated as a sign in conformance with the regulations of the Zoning Code.

5. An improvement location permit shall be required prior to the placement of all satellite television receiving-only antennas within a business district located on the ground of a building lot.

6. All cables and connections from an antenna to other equipment on the premises shall be buried underground when an antenna is located on the ground, or appropriately concealed when an antenna is located on a building.

7. Businesses selling or leasing satellite television receiving-only antennas may display antennas in the front yard of their businesses subject to the restrictions in divisions 1., 3., 5., and 6. of this section. Businesses shall take every precaution to safeguard the public from cables and connections to displayed antennas. All cables and connections shall be located out of the pedestrian walkways and vehicular parking areas and driveways adjacent to the respective business.

(7) Temporary structures and uses. Temporary structures and uses may include temporary signs, fences, walls, buildings, trailers, barricades and similar temporary structures incidental to the development of land during construction. Their uses shall be shown and included in the plans, specifications and with the application for the Improvement Location Permit for the primary use, and all temporary structures or buildings shall be removed concurrently with the completion of the construction of the primary use.

C3 PERMITTED USES

The following uses are permitted:

- (1) Preceding district. All uses allowed in the C1 and C2 districts.
- (2) Shopping center. Shopping center, 750,000 square feet of gross floor area, providing a full range of retail shopping facilities and services, including durable goods and professional services, and typically including one or more full-time department stores.
- (3) Retail convenience goods and service businesses.
 - (a) Fast food restaurant, dairy products and soft drinks or any place or premises used for the sale, dispensing or serving of food or beverages outdoors, or where customers may serve themselves or carry out and consume the food, refreshments or beverages on the premises. Provided, however, such establishments shall:
 1. Provide adequate outdoor convenience trash container;
 2. At the discretion of the Commission, the developer shall construct and maintain a decorative fence or wall of not less than 42 inches in height along the rear lot line and side lot lines to the required front setback line; and
 3. Not be located within 200 feet of a residential district on the same side of the street, unless such establishment is separated from said residential district by an intervening street.
 - (b) Blueprinting, photocopying, job printing.
 - (c) Shopping or durable goods establishment, including: department store, discount store, major appliances, furniture and floor coverage stores.
 - (d) Indoor commercial amusement, recreation and entertainment, including: theater, bowling alley, billiard parlor, gymnasium, tennis facilities, roller or ice skating rink, nightclub, private club or lodge.
 - (e) Automobile sales, new or used, service and repair, auto parts sales, provided that the service activities are conducted within enclosed buildings.
 - (f) Car wash completely indoors, self-service car wash, automatic or semi-automatic car wash. Provided, however, self-service, automatic or semi-automatic car wash establishments shall:
 1. Provide not less than ten auto waiting spaces at the entrance and five outdoor drying and finishing spaces at the exit to each wash bay of a self-service car wash establishment;
 2. Provide not less than 20 auto waiting or storage spaces at the entrance and ten outdoor drying and finishing spaces at the exit of each wash bay of an automatic or semi-automatic car wash establishment;
 3. Not conduct any drying, cleaning, polishing, dispensing of gasoline or other comparable operation within the required minimum front yard;
 4. Meet the perimeter yard requirements of division (C) of this section;and
 5. Not be located within 400 feet of a residential district fronting on the same side of the street.
- (4) Miscellaneous.

- (a) Commercial parking lots and structures.
- (b) Temporary seasonal uses such as Christmas tree sales, nursery plants, fruit stands completely under shelter; provided, however, such uses and accessory off-street parking spaces therefor shall not reduce or encroach upon the minimum required off-street parking area of any commercial use. Provided further, the location of such use(s) on the lot shall be subject to approval of the Plan Commission.
- (c) Post office, including storage of delivery vehicles, provided such storage area is screened by a solid decorative fence or wall not less than six feet in height.
- (d) Veterinarian.
- (e) Schools teaching photography, dance, music, art, language, trades, including barber and beauty schools.
- (f) Mass transit terminals.
- (g) Other uses similar and comparable in character to the above permitted uses.

(5) Accessory uses and structures.

- (a) Accessory uses, buildings and structures which are subordinate, appropriate and incidental to the above permitted uses, including supportive services directly related to, and located in the same building with, the primary use, provided no exterior signage announcing such services shall be permitted.
- (b) Satellite television receiving-only antennas.
 - 1. Satellite television receiving-only antennas shall be permitted as an accessory structure within the following standards subject to the setback requirements of the business zone.
 - 2. In all business districts a satellite television receiving-only antenna may have a maximum height of 12 feet above the ground, and when located on the roof of a building in a business district shall not exceed the height limitation for the district in which it is located.
 - 3. In a business district a satellite television receiving-only antenna shall not be located within 15 feet of any public right-of-way line.
 - 4. A satellite television receiving-only antenna having printed matter on its surface shall be treated as a sign in conformance with the regulations of the zoning code.
 - 5. An improvement location permit shall be required prior to the placement of all satellite television receiving-only antennas within a business district located on the ground of a building lot.
 - 6. All cables and connections from an antenna to other equipment on the premises shall be buried underground when an antenna is located on the ground, or appropriately concealed when an antenna is located on a building.
 - 7. Businesses selling or leasing satellite television receiving-only antennas may display antennas in the front yard of their businesses subject to the restrictions in divisions 1., 3., 5., and 6. of this section. Businesses shall take every precaution to safeguard the public from cables and connections to displayed antennas. All cables and connections shall be located out of the pedestrian walkways and vehicular parking areas and driveways adjacent to the respective business.

(6) Temporary uses and structures. Temporary uses and structures may include temporary signs, fences, walls, buildings, barricades and similar temporary structures incidental to the development of land during construction. These uses shall be shown and

included in the plans and specifications and with the application for the Improvement Location Permit for the primary use. All temporary uses and structures shall be removed concurrently with the completion of construction of the primary use.

(7) Motel/hotel. A motel/hotel as defined in § 150.05 relating to permitted uses in C-4 Districts shall be a permitted use in a C-3 District subject to the following specific limitations: That such use shall be only at Interstate 69 Interchanges within 1,250 feet of the right-of-way line of Interstate Highway 69 and within 2,000 feet of the right-of-way line of 96th Street, 116th Street and Olio Road, all within the corporate limits of the town. Any real property located within the area established by the intersection of the extension of the lines established above, shall be eligible for a motel/hotel permitted use as defined above.