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**ORDINANCE NO. 071921A**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 106.90 ACRES FROM R2 TO PUD-R FOR A PROJECT KNOWN AS THE COVE AT THORPE CREEK PLANNED UNIT DEVELOPMENT DISTRICT.**

**WHEREAS**, this is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

**WHEREAS**, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-21-6 as required by law in regard to the rezone; and

**WHEREAS**, the Plan Commission at its August 4, 2021 meeting sent a \_\_\_\_\_ recommendation to the Common Council by a vote of \_\_\_\_ ( ) in favor and \_\_\_\_ ( ) opposed.

**NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, MEETING IN REGULAR SESSION AS FOLLOWS:**

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

**SECTION 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

**SECTION 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in **Exhibit B** (“Petitioner’s Packet”), attached.

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this 16<sup>th</sup> day of August, 2021.

# The Cove at Thorpe Creek Planned Unit Development



PRESENTED BY  
STEVEN D. HARDIN, ESQ.



City Council | August 16, 2021

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**THE COVE AT THORPE CREEK**



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**Developer:**

**Hillary Laffin, Project Planner**

**Grand Communities, LLC  
3940 Olympic Boulevard, Suite 400  
Erlanger, KY 41018**

**Builder:**

**Amanda Deardorff,  
Land Acquisition Manager**

**Fischer Single Family Homes II, L.L.C.  
6602 E. 75th Street, Suite 400  
Indianapolis, IN 46250**

**Attorney:**

**Steven D. Hardin, Esq.  
Mark R. Leach, Land Use Planner**

**Faegre Drinker Biddle & Reath LLP  
600 E. 96th St., Suite 600  
Indianapolis, IN 46240**

**Telephone: 317.569.9600  
Fax: 317.569.4800**

# TAB 1



## EXECUTIVE SUMMARY

### THE COVE AT THORPE CREEK



Grand Communities, LLC and Fischer Single Family Homes II, L.L.C. (together “Fischer Homes”) are pleased to present their plans for The Cove at Thorpe Creek, a new 107 +/- acre residential neighborhood located south of Southeastern Parkway on both sides of Florida Road and adjacent to the existing Thorpe Creek and Welchel Springs neighborhoods (please see the Aerial Location Map at Tab 2). The new development is adjacent to two primary arterial roadways and the planned Geist Greenway trail, and it is near five significant parks planned for the area. Highlights of the new development include:

- A diverse mix of three home collections
- Geist Greenway trail improvements
- Road improvements to two primary arterial roadways.

**A Diverse Mix of Three Home Collections.** The neighborhood will include the following:

- Grand Estates homes (adjacent to the existing Thorpe Creek neighborhood). These homes will be comparable to the homes currently being built in Thorpe Creek and are expected to range in sales price from \$750,000 to \$930,000.
- Designer Collection homes (along both sides of Florida Road). These homes are expected to range in sales price from \$405,000 to \$535,000 and will be attractive for move-up home buyers.
- Patio Collection homes (along the west side of Florida Road). These homes are designed for an older demographic who are looking to move down from a traditional family home, while remaining in Fishers near family and friends. These homes are expected to start in the \$300s and average between \$440,000 and \$475,000.
- In total, the Cove at Thorpe Creek will include 192 homes (1.8/per acre) and maintain approximately 45 acres of open space (please see the Concept Plan at Tab 3).

**Geist Greenway Trail Improvements.** The City has been planning the Geist Greenway trail system for some time. This trail system is planned to run from 96th Street to Saxony. Fischer Homes is in collaborative discussions with the City regarding the timing and construction of the approximately 3,200’ of trail segments that run through its proposed development (please see the trail locations shown on the Pedestrian Connectivity Exhibit at Tab 5).

**Road Improvements to Two Primary Arterial Roadways.** Per the City’s Thoroughfare Plan, a primary arterial is “*similar in function to an interstate, but not grade separated, consisting of four or more travel lanes and usually divided.... Provides access to other interstates or other primary arterials. Designed to carry large traffic volumes either through communities or from area to area.*” This development is adjacent to two primary arterials: Florida Road and Cyntheanne Road (please see the Road Improvement Exhibit at Tab 6). Fischer Homes is in collaborative discussions with the City regarding the timing and construction of:

- Florida Road widening and resurfacing (in addition to accel/decel/turning lanes)
- Cyntheanne Road extension to and connection with Florida Road

#### **Plan Commission Update:**

On August 4, 2021, the Plan Commission held the public hearing on this proposal. After conducting the public hearing, the Plan Commission voted unanimously to forward the proposed PUD Ordinance to the City Council with a favorable recommendation.

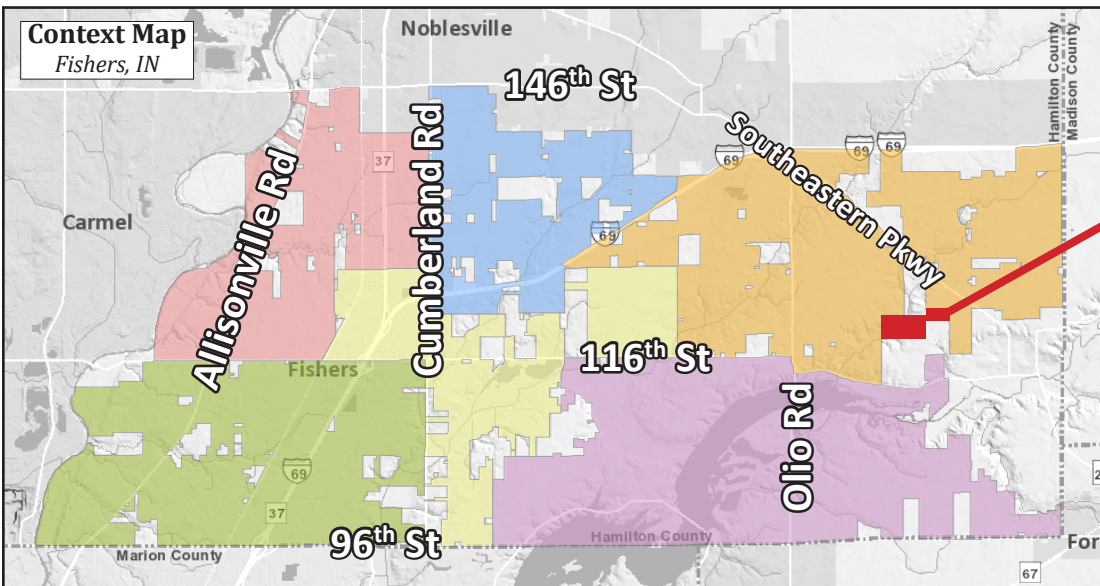
If approved, then site development work is anticipated to begin early next year.  
Thank you for your consideration.

# TAB 2



**AERIAL LOCATION MAP (+/- 107 ACRES)**

**THE COVE AT THORPE CREEK**

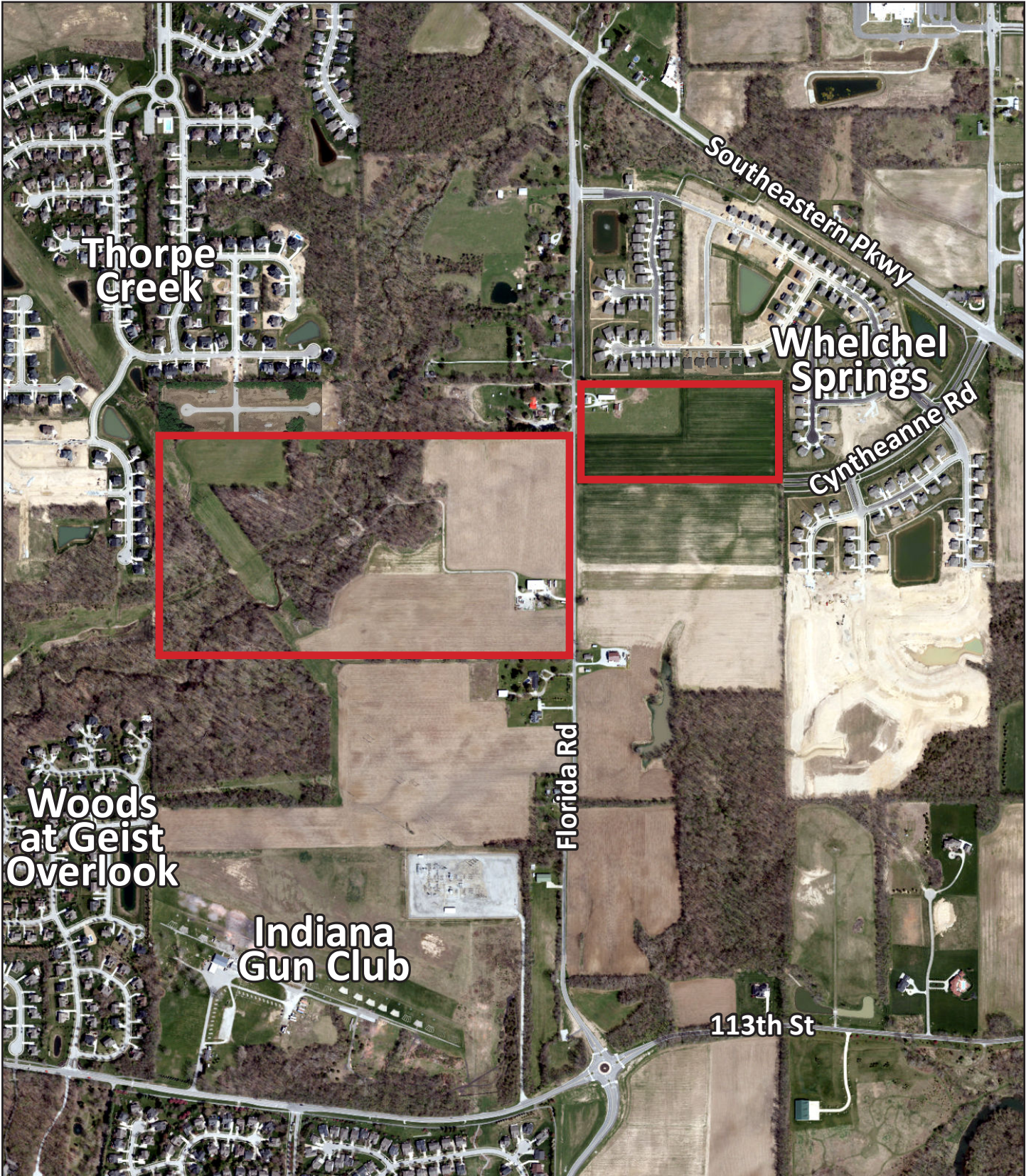


**REAL ESTATE**



AERIAL LOCATION MAP (+/- 107 ACRES)

THE COVE AT THORPE CREEK



 REAL ESTATE



# TAB 3

**CONCEPT PLAN**

**THE COVE AT THORPE CREEK**



-  **Grand Estates**
-  **Designer**
-  **Patio**

# TAB 4



ILLUSTRATIVE ARCHITECTURAL EXHIBIT

THE COVE AT THORPE CREEK



GRAND ESTATES DISTRICT



*Grand Estates Collection:  
The Grand Estates homes will be comparable to the homes currently being built in Thorpe Creek and are expected to range in sales price from \$750,000 to \$930,000.*





ILLUSTRATIVE ARCHITECTURAL EXHIBIT

THE COVE AT THORPE CREEK



DESIGNER DISTRICT



*Designer Collection:  
The Designer homes are expected to range in sales price from \$405,000 to \$535,000 and will be attractive for move-up home buyers.*





ILLUSTRATIVE ARCHITECTURAL EXHIBIT

THE COVE AT THORPE CREEK



PATIO DISTRICT



*Patio Collection:  
The Patio homes are designed for an older demographic who are looking to move down from a traditional family home, while remaining in Fishers near family and friends. These homes are expected to start in the \$300s and average between \$440,000 and \$475,000.*



# TAB 5

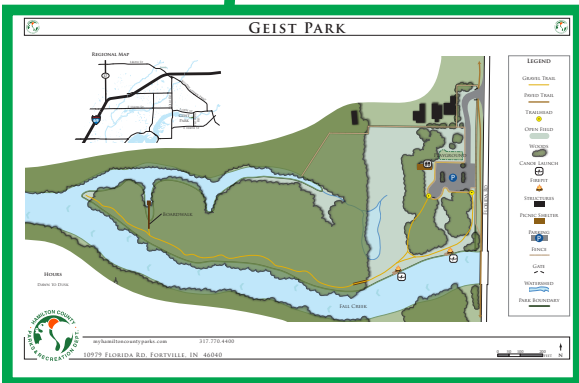
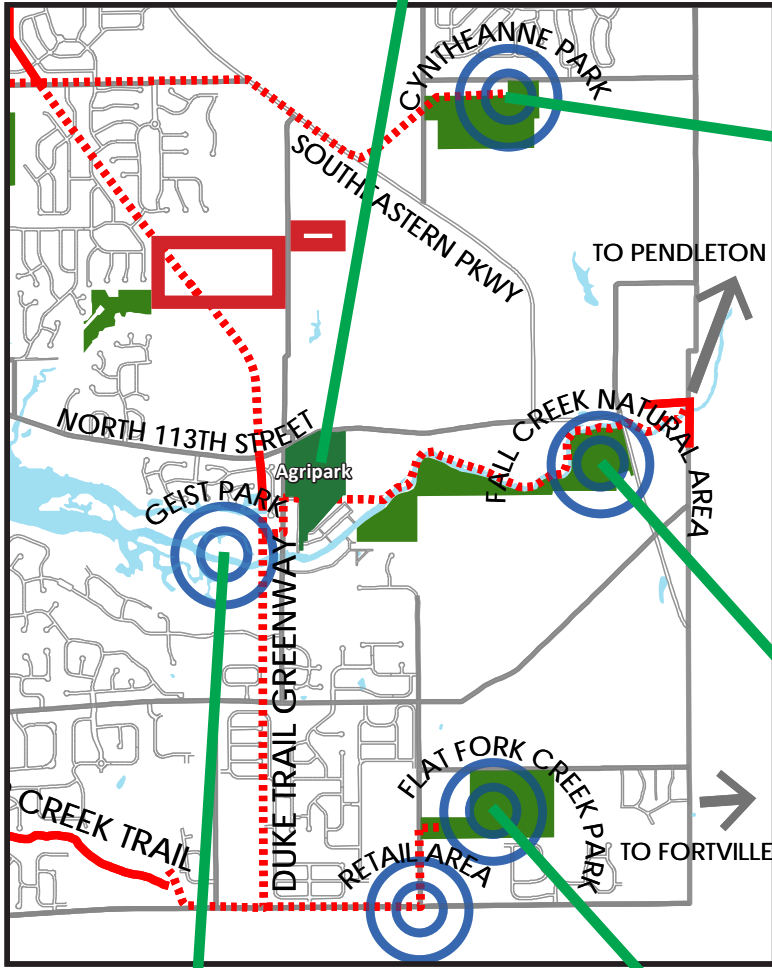
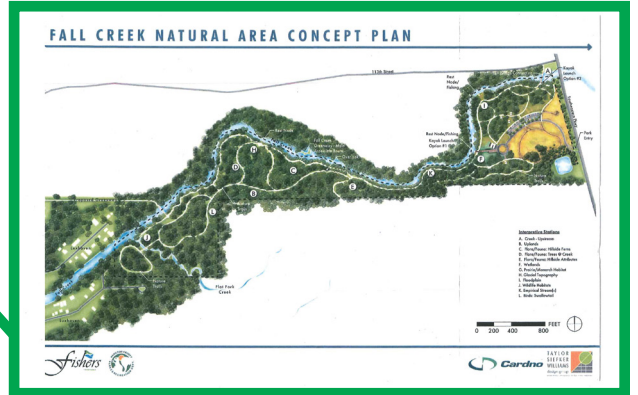
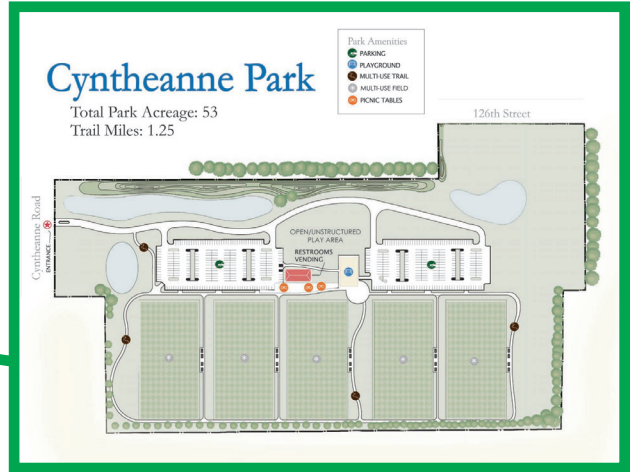


# PEDESTRIAN CONNECTIVITY EXHIBIT

## THE COVE AT THORPE CREEK



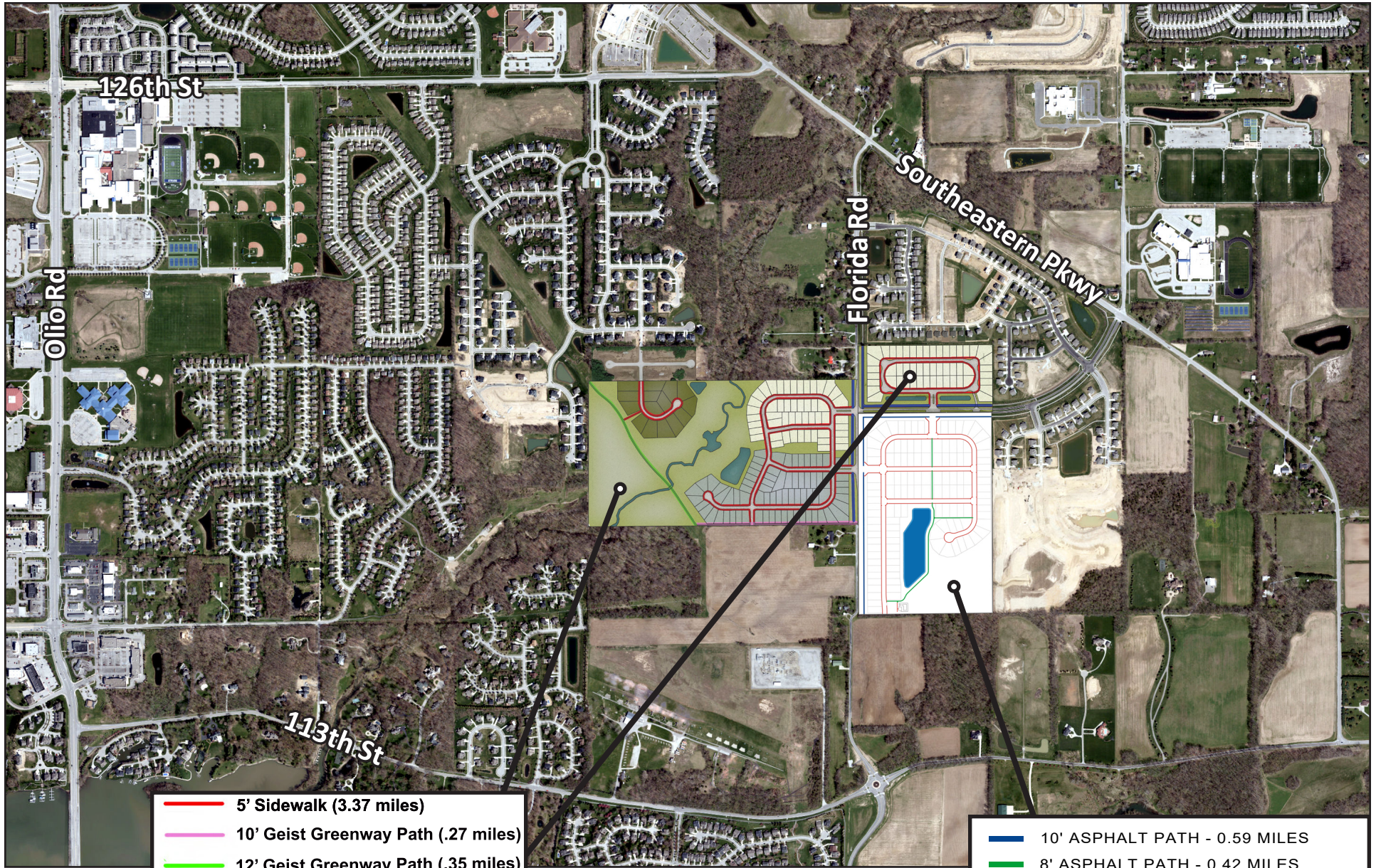
### PARK LOCATIONS





PEDESTRIAN CONNECTIVITY EXHIBIT

THE COVE AT THORPE CREEK



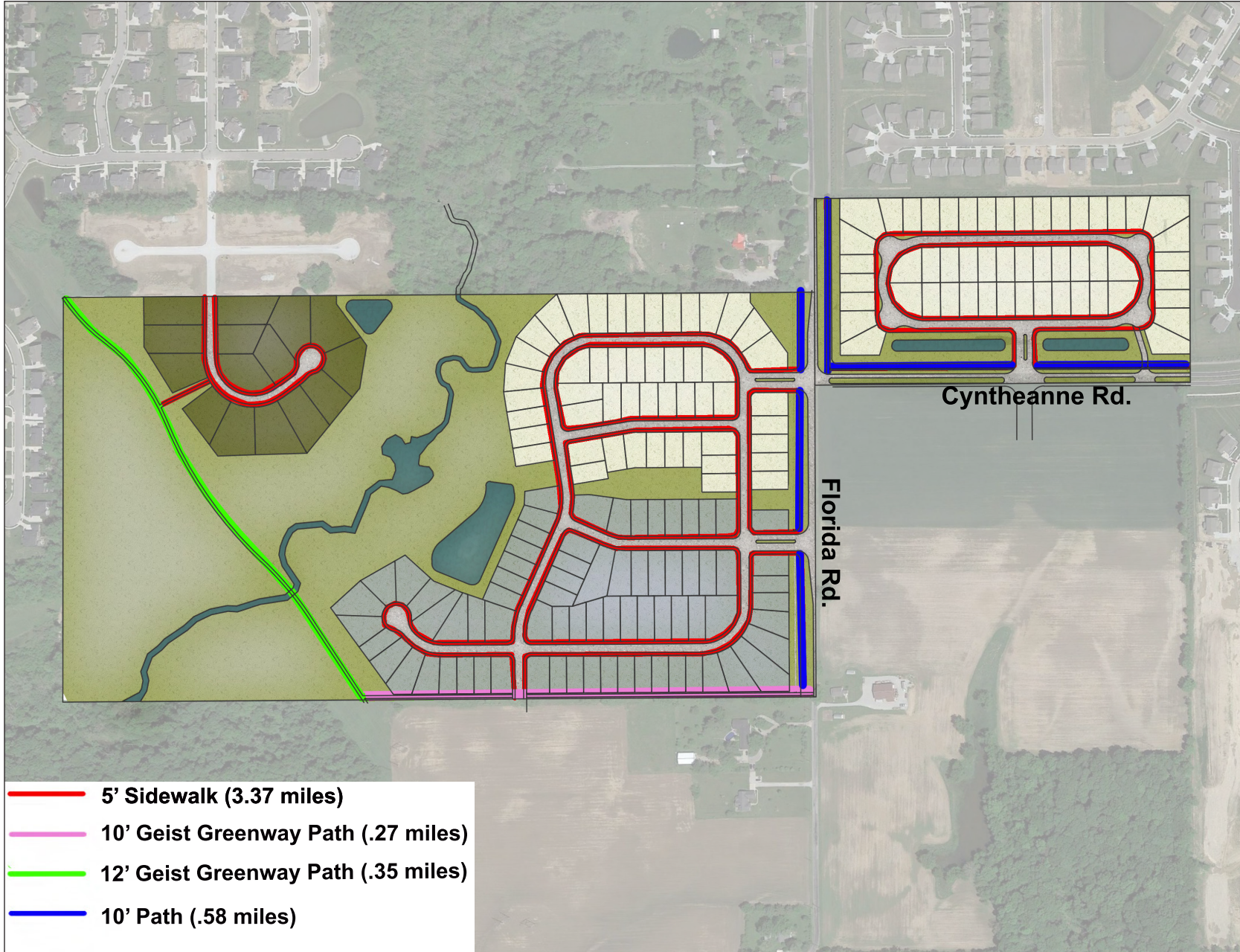
- 5' Sidewalk (3.37 miles)
- 10' Geist Greenway Path (.27 miles)
- 12' Geist Greenway Path (.35 miles)
- 10' Path (.58 miles)

- 10' ASPHALT PATH - 0.59 MILES
- 8' ASPHALT PATH - 0.42 MILES
- 5' CONCRETE SIDEWALK - 2.16 MILES



**PEDESTRIAN CONNECTIVITY EXHIBIT**

**THE COVE AT THORPE CREEK**



- 5' Sidewalk (3.37 miles)**
- 10' Geist Greenway Path (.27 miles)**
- 12' Geist Greenway Path (.35 miles)**
- 10' Path (.58 miles)**

# TAB 6

ROAD IMPROVEMENT EXHIBIT

THE COVE AT THORPE CREEK

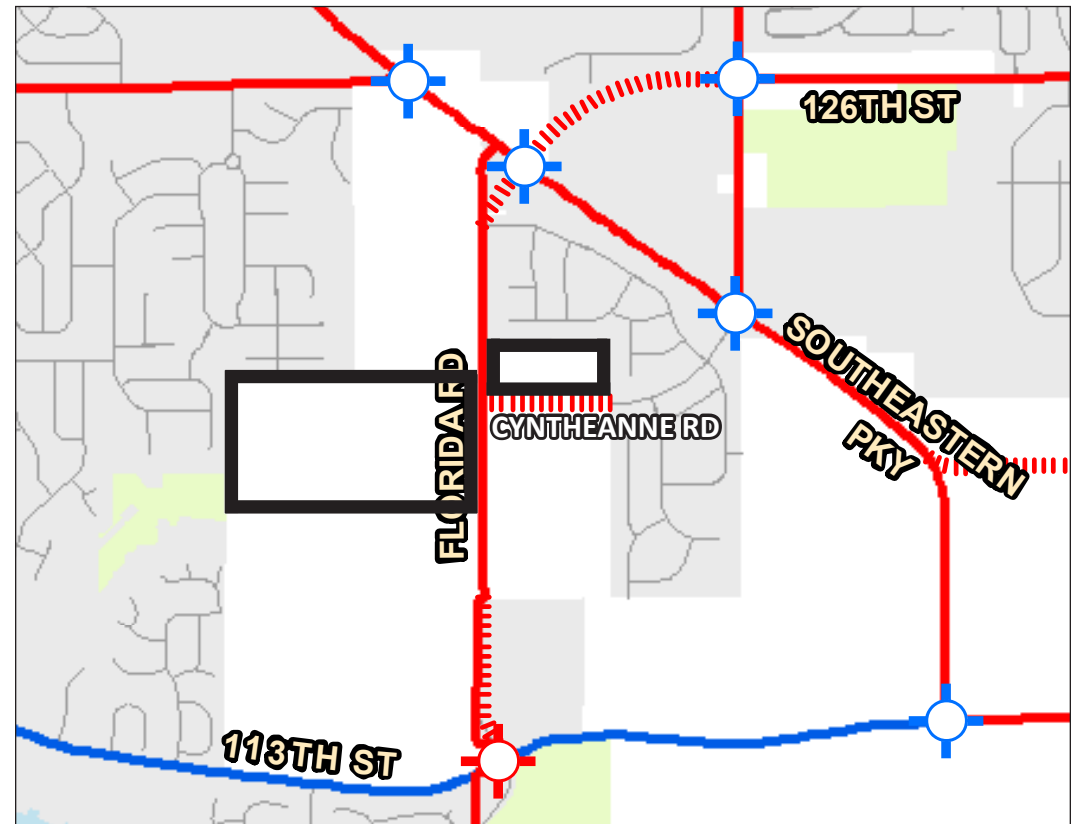


# THOROUGHFARE MAP

Per Fishers 2040 Thoroughfare Plan:

**Primary Arterials.** Similar in function to an interstate, but not grade separated, consisting of four or more travel lanes and usually divided. They have controlled access with major intersections typically one mile apart. Provides access to interstates or other primary arterials. Designed to carry large traffic volumes either through communities or from area to area.

- Minimum right-of-way width: 120 feet
- Pedestrian facilities: 10-foot shared-use path on both sides



## Legend

- |                                   |                                       |                                   |
|-----------------------------------|---------------------------------------|-----------------------------------|
| Intersection Improvement          | Interchange                           | Local Roads                       |
| Intersection Improvement - Future | Interchange - Future                  | Proposed Connections              |
| Intersection Improvement - County | Arterial - Primary                    | Interstate                        |
| Roundabout                        | Arterial - Secondary                  | Expressway                        |
| Roundabout - Future               | Arterial - Noblesville/County Primary | Fishers Incorporated Jurisdiction |
| Roundabout - Noblesville/County   | Collector                             | Noblesville/County                |
|                                   |                                       | REAL ESTATE                       |



# **TAB 7**

**ORDINANCE NO. 071921A**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, AMENDING THE OFFICIAL ZONING MAP TO REZONE 106.90 ACRES FROM R2 TO PUD-R FOR A PROJECT KNOWN AS THE COVE AT THORPE CREEK PLANNED UNIT DEVELOPMENT DISTRICT.**

**WHEREAS**, this is an ordinance to amend the Official Zoning Map incorporated into the Unified Development Ordinance, (“UDO”), for the City of Fishers (the “City”), previously enacted pursuant to Ind. Code § 36-7-4 *et seq.* as amended.

**WHEREAS**, the Advisory Plan Commission for the City of Fishers (“Plan Commission”) has conducted a public hearing on Docket No. RZ-21-6 as required by law in regard to the rezone; and

**WHEREAS**, the Plan Commission at its August 4, 2021 meeting sent a \_\_\_\_\_ recommendation to the Common Council by a vote of \_\_\_\_ ( ) in favor and \_\_\_\_ ( ) opposed.

**NOW, THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA, MEETING IN REGULAR SESSION AS FOLLOWS:**

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





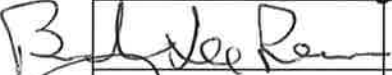
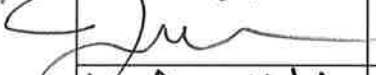


**SECTION 2.** This Ordinance shall be in full force and effect from and upon its adoption and in accordance with Indiana law.

**SECTION 3.** The specific zoning standards, concept plans, and illustrative architectural exhibits shall be approved as shown in Exhibit B (“Petitioner’s Packet”), attached.

SO BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FISHERS, HAMILTON COUNTY, INDIANA this 16<sup>th</sup> day of August, 2021.



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

YAY		NAY	ABSTAIN
	Selina Stoller, President		
	David George, Vice President		
	C. Pete Peterson, Member		
	John Weingardt, Member		
	Cecilia C. Coble, Member		
	Brad DeReamer, Member		
	Todd Zimmerman, Member		
	Jocelyn Vare, Member		
	Crystal Neumann, Member		

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 14th day of August 2021, at 8:15 p m.

ATTEST:   
Jennifer L. Kehl, City Clerk



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

MAYOR'S APPROVAL

DATE

8/16/2021

MAYOR'S VETO

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

\_\_\_\_\_  
DATE

This instrument prepared by: Steven D. Hardin, Esq., Partner, and Mark R. Leach, Land Use Planner, Faegre Drinker Biddle & Reath LLP, 600 E. 96th Street, Suite 600, Indianapolis, Indiana, 46240

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law." - Mark R. Leach

Exhibit A – Real Estate Description and Depiction

20 Acre Tract

20 acres off the North end of West Half of the Southeast Quarter of Section 31, Township 18 North, Range 6 East, of the Second Principal Meridian, Hamilton County, Indiana described as follows:

Beginning at the northwest Corner of said Southeast Quarter Section; thence along the thereof North 89 degrees 30 minutes 58 seconds East (bearings based on State Plane Coordinates) 1323.80 feet to the Northeast Corner of the West Half of said Quarter Section; thence along the East line of said Half-Quarter Section South 00 degrees 14 minutes 49 seconds East 658.11 feet; thence parallel with the North line of said Quarter Section South 89 degrees 30 minutes 58 seconds West 1324.17 feet to the West line of said Quarter section; thence along last said West line North 00 degrees 12 minutes 52 seconds West 658.11 feet to the Point of beginning of this described tract containing 20.00 acres, more or less, subject to all rights-of-way, easements and restrictions.

86.902 Acre Tract

Part of the Southwest Quarter of Section 31, Township 18 North, Range 6 East, of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at a stone marking the Northeast Corner of said quarter-section and thence running South 00 degrees 12 minutes 52 seconds East (bearings based on State Plane Coordinates) along the East line of said quarter-section 330.00 feet to the Point of Beginning of the tract described herein; thence continuing South 00 degrees 12 minutes 52 seconds East along the East line of said quarter-section 1427.25 feet; thence South 89 degrees 35 minutes 44 seconds West 2656.10 feet to an existing 3/8" rebar set on the west line of said quarter-section; thence North 00 degrees 05 minutes 15 seconds East along the West line of said quarter-section 1427.16 feet to a 1/2" rebar which lies 330.00 feet southerly from a stone marking the Northwest corner of said quarter-section; thence North 89 degrees 35 minutes 21 seconds East 1328.60 feet to a 1/2" rebar; thence North 89 degrees 35 minutes 46 seconds East parallel with the North line of said quarter-section 1320.63 feet to the Point of Beginning containing 86.902 acres, more or less, subject to all easements and rights-of-way and restrictions.

Prepared by Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway Suite A, Greenwood, IN. (317) 882-5003 ex 301.

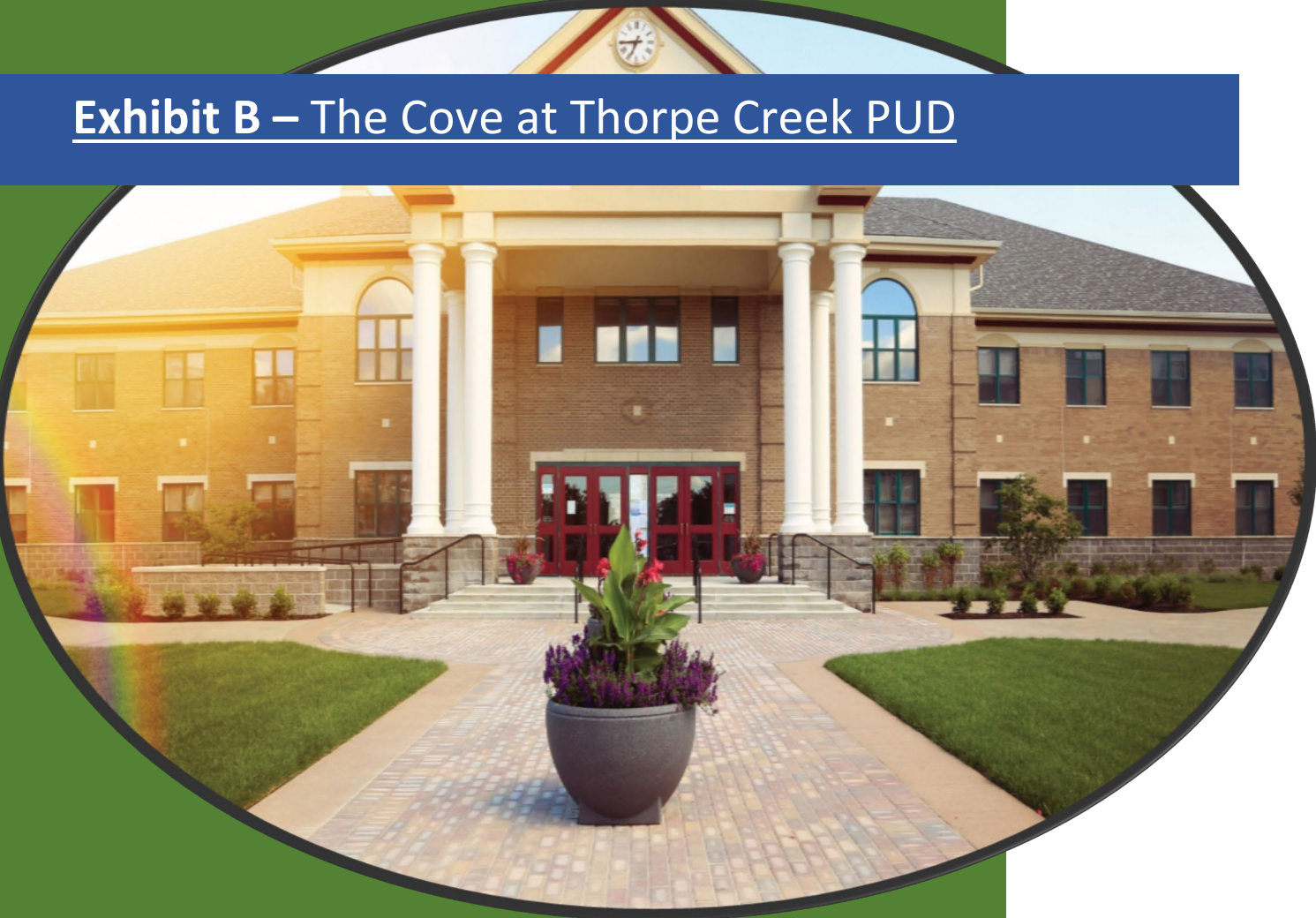




 REAL ESTATE

2021

Exhibit B – The Cove at Thorpe Creek PUD



Planning & Zoning Department  
City of Fishers  
Ordinance: 071921A





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

### 1. Declaration

- a. Ordinance No. 071921A (this "Ordinance")
- b. Adopted: \_\_\_\_\_

### 2. Purpose and Intent

The Unified Development Ordinance (the "UDO") of the City of Fishers, Indiana, Ordinance No. 071618F, as amended, and the Official Zoning Map of the City of Fishers, Indiana, as amended, which accompanies and is a part of the Zoning Code of the City of Fishers, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described and depicted in **Exhibit B.1**, attached hereto and incorporated herein (the "Real Estate"), is hereby designated as Planned Unit Development - Residential District (PUD-R) and shall hereafter be known as "The Cove at Thorpe Creek PUD".

Development of the Real Estate shall be governed entirely by the provisions of this Ordinance and those provisions of the UDO specifically referenced in this Ordinance. All provisions of the UDO that conflict with the provisions of this Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Ordinance.

### 3. Applicability

The following standards shall apply: (i) the standards of the UDO applicable to the *R3 Residential District* shall apply to the development of the Grand Estates District, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance; and (ii) the standards of the UDO applicable to the *R5 Residential District* shall apply to the development of the Designer District and the Patio District, as shown on the Concept Plan, except as modified, revised, or expressly made inapplicable by this Ordinance. Cross-references to "Chapter", "Article", and "Section" in this Ordinance shall refer to the corresponding Chapter, Article and Section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein and are defined in the UDO shall have the meaning ascribed to them in the UDO. An amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Sec. 1.3.6. Transition Ordinance* also shall apply to amendments.

### 4. Allowed Uses

All uses permitted in the R3 Residential District shall be permitted in the Grand Estates District. All uses permitted in the R5 Residential District shall be permitted in the Designer District and the Patio District. Two-family dwellings shall not be permitted.

## B. Concept Plan

The Concept Plan, attached hereto as **Exhibit B.2**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plan and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. If the Director determines that a Development Plan is not substantially consistent with the Concept Plan (the "Director's Determination"), then the Director shall notify the applicant in writing within ten (10) business days of receipt of the submitted Development Plan of: (1) the Director's Determination; and (2) whether the Development Plan is (a) approved; or (b) not approved (the "Director's Decision"). The Director's Decision shall be based upon the Development

**ORDINANCE NO. 071921A**

Plan's compatibility and consistency with the intended quality and character of The Cove at Thorpe Creek PUD. If the Director's Decision does not approve the Development Plan, then the applicant may submit the Development Plan to the City Council for review and approval. The City Council's decision shall be made at a public meeting, but no additional public hearing shall be required.

**C. Standards**

**1. Introductory Provisions**

The regulations of *CHAPTER 1. INTRODUCTORY PROVISIONS* shall apply.

**2. Administration**

The regulations of *CHAPTER 2. ADMINISTRATION* shall apply.

**3. Zoning Districts**

The regulations of *CHAPTER 3. ZONING DISTRICTS* shall apply, except as modified by this Ordinance. The maximum number of lots may vary within each district by up to ten percent (10%); however, the total maximum number of lots within The Cove at Thorpe Creek PUD shall not exceed 192 lots.

**a. Article 3.1. Establishment of Zoning Districts:** Shall apply.

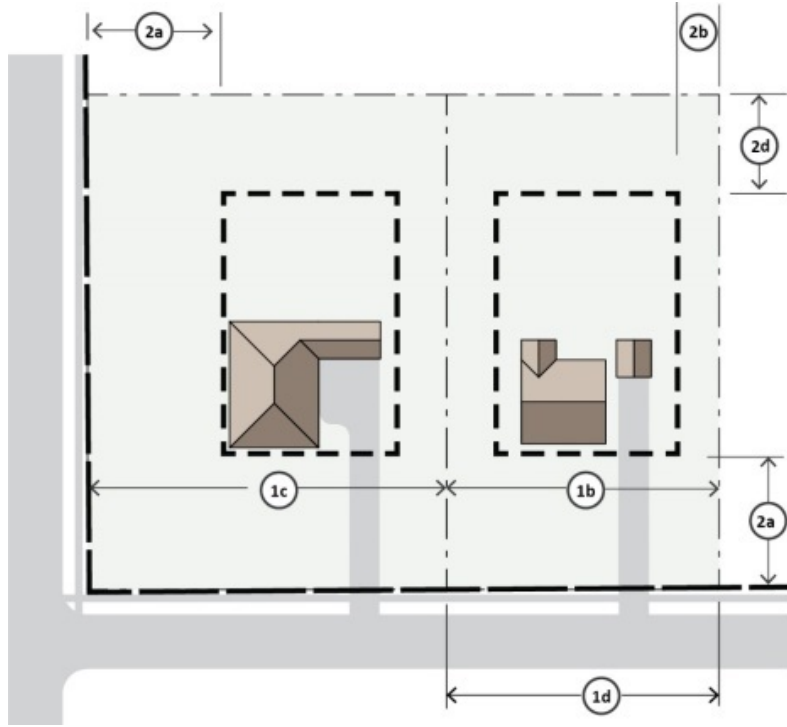
**b. Article 3.2. Residential Districts:** Shall apply, except as modified below:

- (1) *Sec. 3.2.4. R3 Residential District:* Shall not apply. Instead the following shall apply to the Grand Estates District:

**Grand Estates District**

<b>1. Minimum Lot Dimensions</b>	
1a. Lot area	12,000 sf
1b. Lot width at building line – standard	100'
1c. Lot width at building line – corner	100'
1d. Lot frontage	50'
<b>2. Minimum Building Setbacks</b>	
2a. Front - local street / other street type	25' / 25'
2b. Side, primary structure / dwelling with attached side-load or rear-load garage	10' / 10'
2c. Side, Aggregate	20'
2d. Rear, primary structure	20'
<b>3. Maximum Building Height</b>	
3a. Primary structure	35'
<b>4. Square Feet Per Residential Unit</b>	
4a. 1-story ranch (min)	2,000 sf
4b. multi-story (min)	2,400 sf
<b>5. Other</b>	
5a. Requires municipal water and sewer hookup	
5b. Impervious area of lot (max)	45%
5c. Alternative standards	<i>Sec. 8.4.7. Conservation Development</i>
5d. Total structures per lot	<i>Sec. 6.8.1.G. Structures Per Lot</i>
<b>6. Maximum Lots Permitted</b>	
6a. Maximum Number of Lots	15

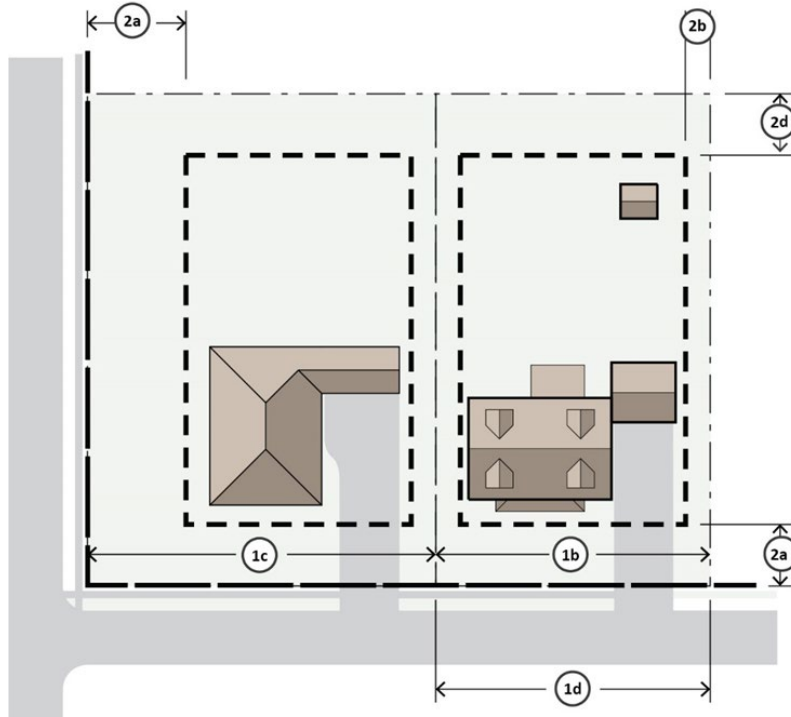




(2) *Sec. 3.2.6. R5 Residential District:* Shall not apply. Instead the following shall apply to the Designer District:

**Designer District**

<b>1. Minimum Lot Dimensions</b>	
1a. Lot area	7,800 sf
1b. Lot width at building line – standard	65'
1c. Lot width at building line – corner	80'
1d. Lot frontage	40'
<b>2. Minimum Building Setbacks</b>	
2a. Front - local street / other street type	25' / 25'
2b. Side	10'
2c. Aggregate Side	20'
2d. Rear	25'
<b>3. Maximum Building Height</b>	
3a. Primary structure	35'
<b>4. Minimum Living Unit Area</b>	
4a. 1-story ranch	1,800 sf
4b. 2-story	2,000 sf
<b>5. Other</b>	
5a. Requires municipal water and sewer hookup	
5b. Impervious surface coverage (max)	55%
5c. Alternative standards	<i>Sec. 8.4.7. Conservation Development</i>
5d. Total structures per lot	<i>Sec. 6.8.1.G. Structures Per Lot</i>
<b>6. Maximum Lots Permitted</b>	
6a. Maximum Number of Lots	103

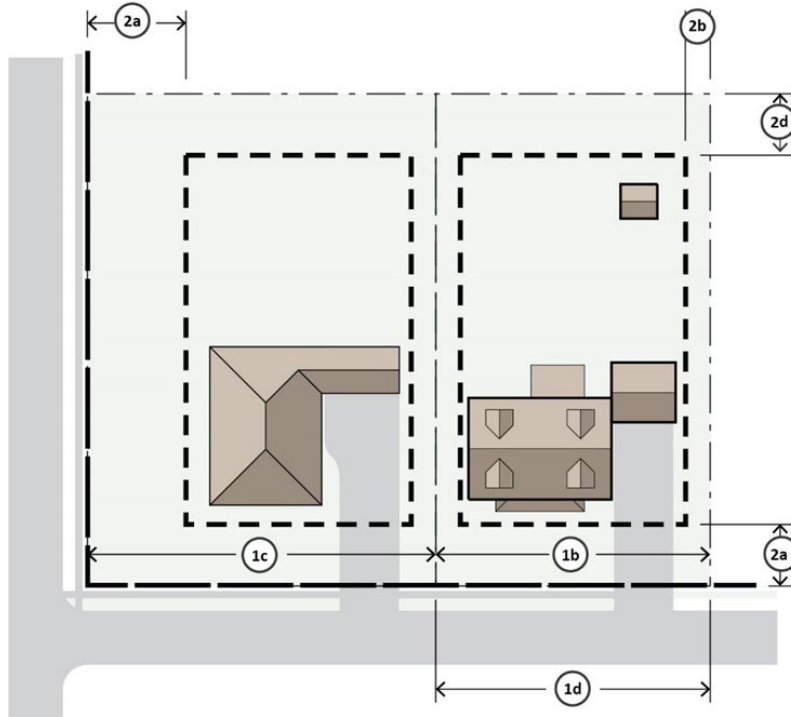


(3) *Sec. 3.2.6. R5 Residential District:* Shall not apply. Instead the following shall apply to the Patio District:

**Patio District**

<b>1. Minimum Lot Dimensions</b>	
1a. Lot area	7,200 sf
1b. Lot width at building line – standard	60'
1c. Lot width at building line – corner	80'
1d. Lot frontage	35'
<b>2. Minimum Building Setbacks</b>	
2a. Front - local street / other street type	25' / 25'
2b. Side	10'
2c. Aggregate Side	20'
2d. Rear	20'
<b>3. Maximum Building Height</b>	
3a. Primary structure	35'
<b>4. Minimum Living Unit Area</b>	
4a. 1-story ranch only	1,500 sf
<b>5. Other</b>	
5a. Requires municipal water and sewer hookup	
5b. Impervious surface coverage (max)	55%
5c. Alternative standards	<a href="#">Sec. 8.4.7. Conservation Development</a>
5d. Total structures per lot	<a href="#">Sec. 6.8.1.G. Structures Per Lot</a>
<b>6. Maximum Lots Permitted</b>	
6a. Maximum Number of Lots	74





c. **Article 3.3. Nonresidential Districts:** Shall not apply.

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

#### 4. Overlay Zoning Districts

The regulations of *CHAPTER 4. OVERLAY ZONING DISTRICTS* shall apply.

#### 5. Use Regulations

The regulations of *CHAPTER 5. USE REGULATIONS* shall apply.

#### 6. Development Standards

The regulations of *CHAPTER 6. DEVELOPMENT STANDARDS* shall apply, except as modified by this Ordinance.

a. **Article 6.1. General Provisions:** Shall apply.

b. **Article 6.2. Accessory Structure Standards:** Shall apply, except as modified below:

- (1) **Subsection 6.2.4.B. Common Community Structures:** Shall not apply. The developer intends to install individual mailboxes for each home; however, if the post office requires cluster mailbox units for outdoor centralized mail delivery, then they shall be placed on an architecturally decorative and landscaped concrete pad. If required, then the pad and cluster mailboxes shall be erected prior to the issuance of the first Certificate of Occupancy for a home in each respective district.

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

- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B.3**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of the residential dwellings on the Real Estate. The final dwelling designs may vary from the Illustrative Architectural Exhibit; however, the dwellings shall be substantially similar in quality and character to the dwellings shown in the Illustrative Architectural Exhibit.

ORDINANCE NO. 071921A

- (2) Roof Standards.
  - (i) All dwellings shall have eaves or overhangs a minimum of eleven (11) inches deep on all main rooflines. Depth shall be determined prior to the installation of masonry. This shall not apply to front porches or dormers.
- (3) Residential Materials.
  - (i) Aluminum, heavy-gauge vinyl, and vinyl shall not be permitted as a siding material.
  - (ii) All lots designated with a black circle on the Additional Architecture Exhibit, attached hereto as **Exhibit B.4**, shall incorporate at least one (1) of the following features: (i) a rear covered porch; (ii) a rear covered patio; (iii) a rear morning room; (iv) a rear pergola; (v) a brick or stone wrap wainscot on all elevations up to the sill of the lowest first floor window; or (vi) any other rear façade extension.
- (4) Garage Design.
  - (i) Each garage door shall include a decorative design substantially similar in quality and character as illustrated in the Garage Door Exhibit, attached hereto as **Exhibit B.5**.

- d. **Article 6.4. Entrance & Driveway Standards:** Shall apply.
- e. **Article 6.5. Exterior Lighting Standards:** Shall apply.
- f. **Article 6.6. Height Standards:** Shall apply.
- g. **Article 6.7. Landscaping Standards:** Shall apply. Additionally, the required landscaping in all common areas/open spaces shall be native species selected from the City of Fishers Planting Guide list of Approved Species, and emphasis shall be given to selecting drought tolerant varieties, at the discretion of the developer and/or property owner. This shall not apply to foundation plantings nor other on-lot landscaping. However, the initial installation of street trees planted in a front yard of an individual homeowner's property shall be required to be native species.
- h. **Article 6.8. Lot Standards:** Shall apply, except as modified by this Ordinance.
- i. **Article 6.9. Non-Residential Open Space:** Shall apply.
- j. **Article 6.10. Outdoor Display & Storage Standards:** Shall apply.
- k. **Article 6.11. Parking & Loading Standards:** Shall apply.
- l. **Article 6.12. Pedestrian Accessibility Standards:** Shall apply, except as modified below:
  - (1) *Section 6.12.2. Residential:* Shall not apply. Instead, sidewalks and paths shall be provided as generally shown on the Pedestrian Connectivity Exhibit, attached hereto as **Exhibit B.6**, or as otherwise approved by the City's Engineering Department at a narrower width than what is shown on **Exhibit B.6**.
- m. **Article 6.13. Permitted Non-residential Structure Standards:** Shall apply.
- n. **Article 6.14. Property Identification Standards:** Shall apply.
- o. **Article 6.15. Public Art Standards:** Shall apply.
- p. **Article 6.16. Setback Standards:** Shall apply, except as modified by this Ordinance.
- q. **Article 6.17. Signage Standards:** Shall apply.
- r. **Article 6.18. Wall & Fence Standards:** Shall apply.
- s. **Article 6.19. Water & Sewer Standards:** Shall apply.
- t. **Article 6.20. Vision Clearance Standards:** Shall apply.
- u. **Additional Development Standards:** Additional development standards, attached hereto as **Exhibit B.7**, shall apply.

**7. Subdivision Regulations**

The regulations of *CHAPTER 7. SUBDIVISION DISTRICTS* shall apply.



**8. Subdivision & Planned Unit Development Design Standards**

The regulations of *CHAPTER 8. SUBDIVISION & PLANNED UNIT DEVELOPMENT DESIGN STANDARDS* shall apply, except as modified by this Ordinance.

**a. Article 8.1. General Provisions:** Shall apply.

**b. Article 8.2. Block, Lot & Access Standards:** Shall apply, except as modified below:

- (1) *Subsection 8.2.3.C.2. Blocks; Block Perimeters; Block Standards:* Shall apply, except that in the Grand Estates District, the maximum length for a dead-end street shall be 900 feet.
- (2) *Section 8.2.6. Pedestrian Network:* Shall apply, except that the location and width of sidewalks and paths shall be provided as generally shown on the Pedestrian Connectivity Exhibit, attached hereto as **Exhibit B.6**, or as otherwise approved by the City’s Engineering Department at a narrower width than what is shown on **Exhibit B.6**.

**c. Article 8.3. Street & Alley Standards:** Shall apply.

**d. Article 8.4. Open Space, Common Area & Amenity Standards:** Shall apply, except as modified below:

- (1) *Section 8.4.6. Open Space:* Shall not apply. Instead, Open Space shall be provided as generally shown on the Concept Plan.
- (2) As part of the adjacent secondary plat, the developer shall dedicate a thirty (30) foot public trail right-of-way in the area generally identified as the “12’ Geist Greenway Path” on the Pedestrian Connectivity Exhibit (**Exhibit B.6**) and a twenty (20) foot public trail right-of-way in the area generally identified as the “10’ Geist Greenway Path” on the Pedestrian Connectivity Exhibit (**Exhibit B.6**). The City plans to construct the pedestrian bridge over Thorpe Creek, and the developer has agreed to construct the two (2) Geist Greenway Path segments (the southern path segment will include a fence to identify where the public path area begins and where an individual homeowner’s property begins) pursuant to a Park Impact Fee Credit Agreement.

**e. Article 8.5. Other Design Standards:** Shall apply.

**9. Floodplain Standards**

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

**10. Procedures & Permits**

The regulations of *CHAPTER 10. PROCEDURES & PERMITS* shall apply.

**11. Enforcement & Penalties**

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

**12. Definitions**

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

**13. Impact Fees**

Regardless of the Real Estate’s annexation status at the time a building permit is issued, all applicable road, bridge and park impact fees shall be paid, subject to any applicable credits.

*(Remainder of page intentionally left blank.)*

Exhibit B.1 – Real Estate Description and Depiction

20 Acre Tract

20 acres off the North end of West Half of the Southeast Quarter of Section 31, Township 18 North, Range 6 East, of the Second Principal Meridian, Hamilton County, Indiana described as follows:

Beginning at the northwest Corner of said Southeast Quarter Section; thence along the thereof North 89 degrees 30 minutes 58 seconds East (bearings based on State Plane Coordinates) 1323.80 feet to the Northeast Corner of the West Half of said Quarter Section; thence along the East line of said Half-Quarter Section South 00 degrees 14 minutes 49 seconds East 658.11 feet; thence parallel with the North line of said Quarter Section South 89 degrees 30 minutes 58 seconds West 1324.17 feet to the West line of said Quarter section; thence along last said West line North 00 degrees 12 minutes 52 seconds West 658.11 feet to the Point of beginning of this described tract containing 20.00 acres, more or less, subject to all rights-of-way, easements and restrictions.

86.902 Acre Tract

Part of the Southwest Quarter of Section 31, Township 18 North, Range 6 East, of the Second Principal Meridian, Fall Creek Township, Hamilton County, Indiana, described as follows:

Commencing at a stone marking the Northeast Corner of said quarter-section and thence running South 00 degrees 12 minutes 52 seconds East (bearings based on State Plane Coordinates) along the East line of said quarter-section 330.00 feet to the Point of Beginning of the tract described herein; thence continuing South 00 degrees 12 minutes 52 seconds East along the East line of said quarter-section 1427.25 feet; thence South 89 degrees 35 minutes 44 seconds West 2656.10 feet to an existing 3/8" rebar set on the west line of said quarter-section; thence North 00 degrees 05 minutes 15 seconds East along the West line of said quarter-section 1427.16 feet to a 1/2" rebar which lies 330.00 feet southerly from a stone marking the Northwest corner of said quarter-section; thence North 89 degrees 35 minutes 21 seconds East 1328.60 feet to a 1/2" rebar; thence North 89 degrees 35 minutes 46 seconds East parallel with the North line of said quarter-section 1320.63 feet to the Point of Beginning containing 86.902 acres, more or less, subject to all easements and rights-of-way and restrictions.

Prepared by Jeffrey D. Knarr, P.S. Projects Plus, 1257 Airport Parkway Suite A, Greenwood, IN. (317) 882-5003 ex 301





 REAL ESTATE

Exhibit B.2 – Concept Plan





Exhibit B.3 – Illustrative Architectural Exhibit

GRAND ESTATES DISTRICT





Exhibit B.3 – Illustrative Architectural Exhibit, cont.

DESIGNER DISTRICT



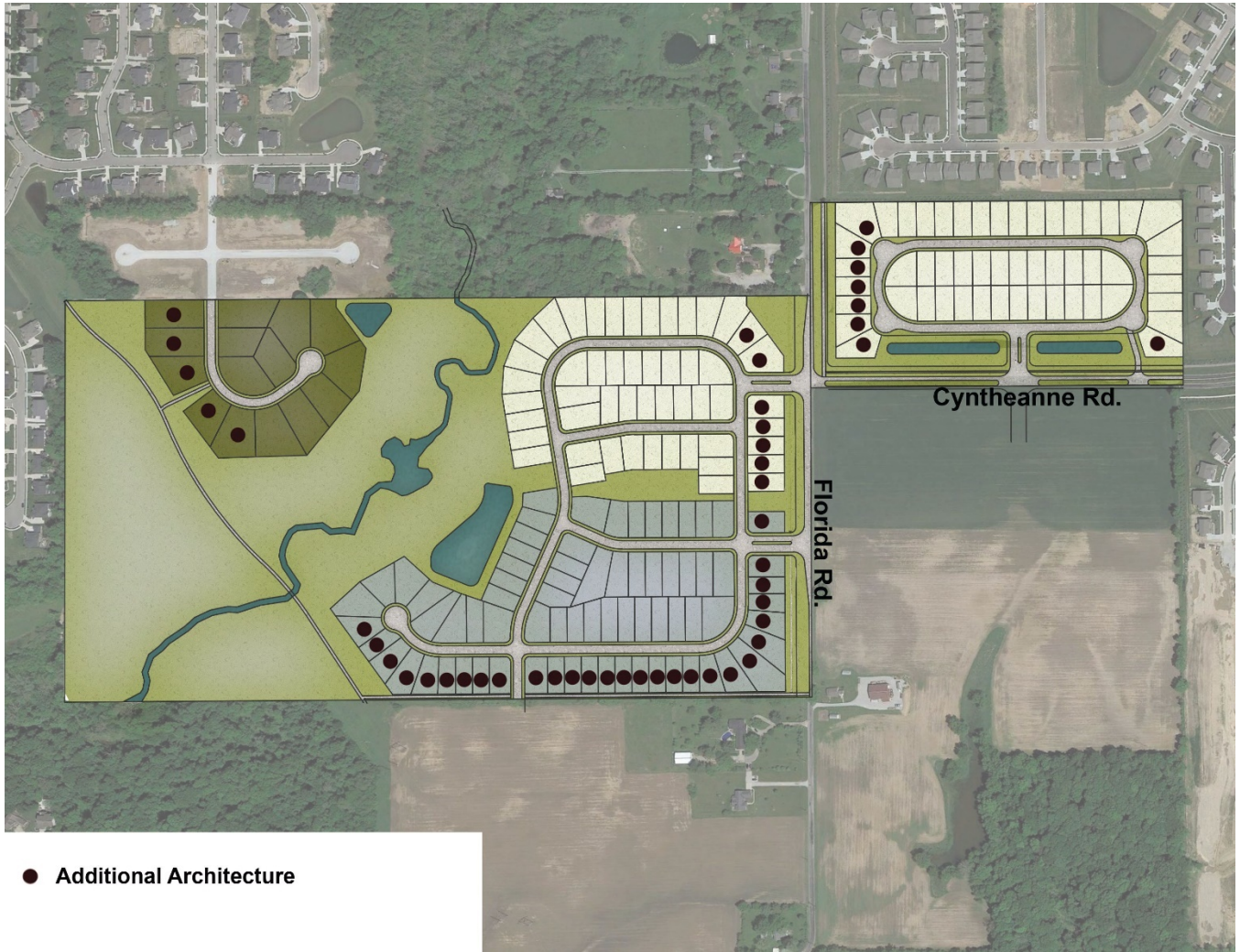


Exhibit B.3 – Illustrative Architectural Exhibit, cont.

PATIO DISTRICT



Exhibit B.4 – Additional Architecture Exhibit



● Additional Architecture



Exhibit B.5 – Garage Door Exhibit

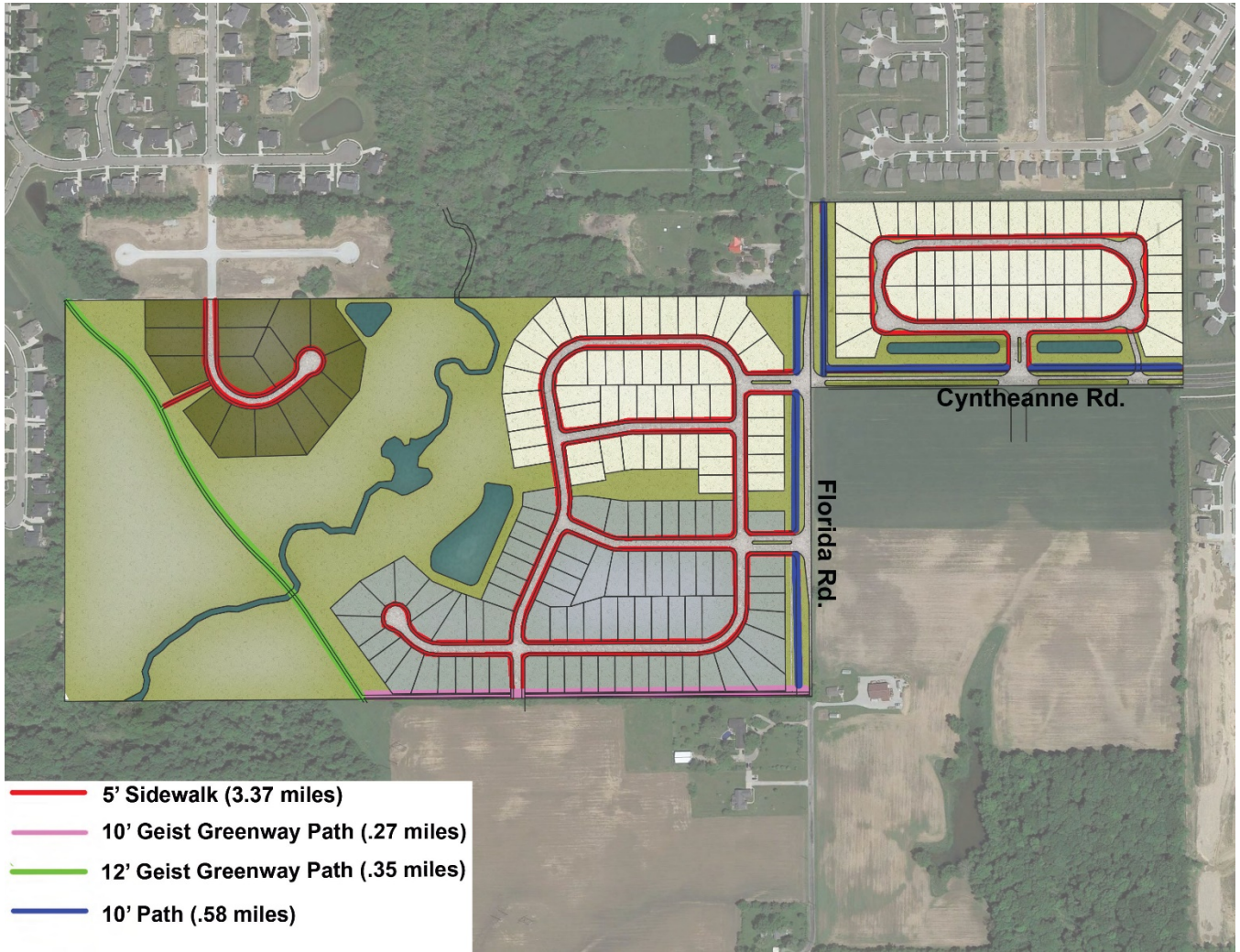
**Patio**



**Designer and Grand Estates**



Exhibit B.6 – Pedestrian Connectivity Exhibit



**Exhibit B.7 – Additional Development Standards**

**Section 1. Applicable Development Standards.** The following additional development standards shall apply to the Grand Estates District only:

1. Street trees shall be planted on both sides of all streets internal to the subdivision, except in those areas in which the City prohibits fences, walls, hedges, trees, or shrubs. The number of required street trees shall be the quotient equal to (i) the total lineal length of those segments of internal streets in which street trees are permitted to be planted divided by (ii) 50 feet. Street trees shall be placed approximately 50 feet on center, except in areas where utility regulations prohibit the placement of street trees. Street trees shall be a minimum of 2-inch caliper at planting, as measured 12 inches from the ground. Street trees shall be deciduous and selected from the City’s approved List of Recommended Species. If, by reason of utility regulations, all of the required street trees cannot be planted in the UDO required location, then there shall be planted, within a common area within the Real Estate, street trees equal in number to the difference between (i) the required street trees and (ii) the number of street trees that are planted in the UDO required location.
2. The height of accessory structures shall not exceed fifteen (15) feet.
3. A standard landscaping package shall be included with each residence sold. This landscape package shall provide for trees and shrubs around the residence. In addition to the street tree requirement, each residence shall be planted with at least two (2) deciduous trees and/or evergreen trees, and a minimum of eleven (11) shrubs. The deciduous tree shall be of at least two-inch caliper at planting as measured twelve (12) inches from the ground, and the evergreen at least six (6) feet in height at planting.
4. Streetlights shall not exceed fifteen (15) feet in height, and shall be located at intersections throughout the subdivision. The height of such lights shall be measured from the ground. Each light shall have shielding to direct light downward in order to minimize light spillover.
5. All residences shall have a minimum two-car garage.
6. Lot Coverage shall not exceed forty-five (45) percent.
7. All lots shall have a minimum depth of one hundred twenty (120) feet.
8. Side load or courtyard entry garages shall have two (2) windows located on the front elevation of the garage.
9. Front loading garages protruding more than eight (8) feet shall also contain a window on the side of the garage closest to the entry to the residence.
10. A third car garage may be added to residences. Any three (3) car driveway must taper to a maximum of sixteen (16) feet wide at the lot line.
11. In order to achieve any of the following, one (1) driveway may serve two (2) residences, but not more than two (2) residences:
  - A. Remove garage entrances from the street; and/or
  - B. Provide distinctive open space opportunities; and/or



**ORDINANCE NO. 071921A**

C. Take advantage of unique topography

12. Residences with either (i) brick on at least fifty (50) percent of the area of the front facade (windows, doors, garage doors, accompanying frames and any other opening are excluded from calculations of the area) or (ii) a covered front porch, with railings, of at least eight feet in width and four feet in depth or a minimum of thirty-two (32) square feet, shall have at least two (2) of the following significant architectural design features. Residences with neither (i) fifty (50) percent brick on the area of the front facade (windows, doors, garage doors, accompanying frames and any other opening are excluded from calculations of the area) nor (ii) a front porch of the preceding dimensions shall have a combination of four (4) or more of the following features.
  - A. A reverse gable peak;
  - B. A covered front porch, with railings on front and side, of at least eight (8) feet in width and four (4) feet in depth or a minimum of thirty-two (32) square feet;
  - C. A thirty-two (32) inch brick or stone plinth with water table on all sides;
  - D. Architectural treatment on gable ends;
  - E. Two separate overhead garage doors for each two (2) car garage, and three (3) separate overhead garage doors for each three (3) car garage;
  - F. Covered front stoop/steps with pathway leading from sidewalk or driveway;
  - G. A bay-window on the front elevation;
  - H. Architecturally treated entranceways for residences without a front porch;
  - I. Garage doors containing windows of high standard and quality;
  - J. Overhang or soffit of at least eight (8) inches from exterior walls;
  - K. Transom windows;
  - L. A veranda/balcony;
  - M. Two or more roof planes;
  - N. A brick accent area of at least twenty-five (25) percent of the area of the front elevation (windows, doors, garage doors, accompanying frames and any other openings are excluded from calculations of the area);
  - O. At least two (2) dormers;
  - P. At least two (2) feet of relief at two (2) or more points along the front facade elevation, excluding relief for doors and windows and garage;
  - Q. Decorative shutters; or
  - R. Architecturally-enhanced articulated trim moldings, such as fypons above windows.
13. Decorative Washington-style streetlights, or similar style streetlights, with reflectors, shields, and attached decorative street signs, shall be utilized and shall be maintained by the homeowner association that governs the Grand Estates District and/or neighborhood association designated by the developer.
14. Traffic control signage shall be mounted on decorative posts, similar in style to the decorative streetlights, and both signage and posts shall be maintained by the homeowner association that governs the Grand Estates District and/or neighborhood association designated by the developer. All traffic control signage shall be MUTCD compliant.
15. The colors utilized for exterior building materials, other than brick and stone, shall feature a base color with natural tones and subtle hues, and may be accented with brighter, more intense or complimentary contrasting tones.

**ORDINANCE NO. 071921A**

16. All fences shall be subject to review and approval by the homeowner association that governs the Grand Estates District and/or neighborhood association designated by the developer, and shall comply with the following requirements:
  - A. Front yard fences shall not exceed forty-two (42) inches in height and shall be a minimum of 50% open. Unless otherwise restricted or qualified in these standards, fences in all yards other than front yards shall not exceed six (6) feet in height.
  - B. Stockade fences are prohibited.
17. Mini barns are prohibited.
18. Residences which are identical or substantially similar in appearance shall not be located on adjacent lots or directly across the street from each other.
19. Uniform mailboxes shall be used for each residence.
20. The permitted exterior building material shall be decorative precast panels, masonry, wood, composite lap, Hardi-Plank or similar type siding, or shingle siding. Vinyl is not permitted as an exterior building material; provided, however, that vinyl-clad windows and soffits shall be permitted.
21. The roofs on all primary structures shall be at a pitch of 6 vertical to 12 horizontal (6:12); provided, however, that ancillary roofs may have a lesser pitch.
22. The exterior building materials on all fireplace chases on the exterior of a residence shall be masonry; provided, however, that interior or direct vent fireplaces shall not require masonry exteriors.
23. The minimum square footage (i) for a ranch home with one occupiable floor shall be 2,000 square feet, exclusive of garages, porches, and basements, and (ii) for a multi-level residence shall be 2,400 square feet, exclusive of garages, porches, and basements.
24. All residences shall have either (i) a dusk to dawn garage-mounted coach light or (ii) a dusk to dawn yard light.
25. All residences shall have address stones or decorative address plaques.

**Section 2. Preservation Area Standards.** Preservation Areas shall include areas within the Floodway Zone AE and the 100-year Floodplain Zone AE, but not the 500-year Floodplain Zone AE. The following additional development standards shall apply to Preservation Areas as follows:

1. Preservation Areas shall be owned and maintained by the homeowner association that governs the Grand Estates District and/or neighborhood association designated by the developer as a common area, and residential construction shall not occur within the Preservation Areas. Except as noted immediately below, each builder and/or developer shall endeavor to preserve trees within the Preservation Areas, and the owners of lots or the homeowner association that governs the Grand Estates District and/or neighborhood association designated by the developer shall not remove trees within the Preservation Areas:
  - A. The clearing of underbrush and dead trees shall be allowed;
  - B. The removal of trees necessary for the installation of utilities, drainage improvements and infrastructure, and trails shall be allowed; and

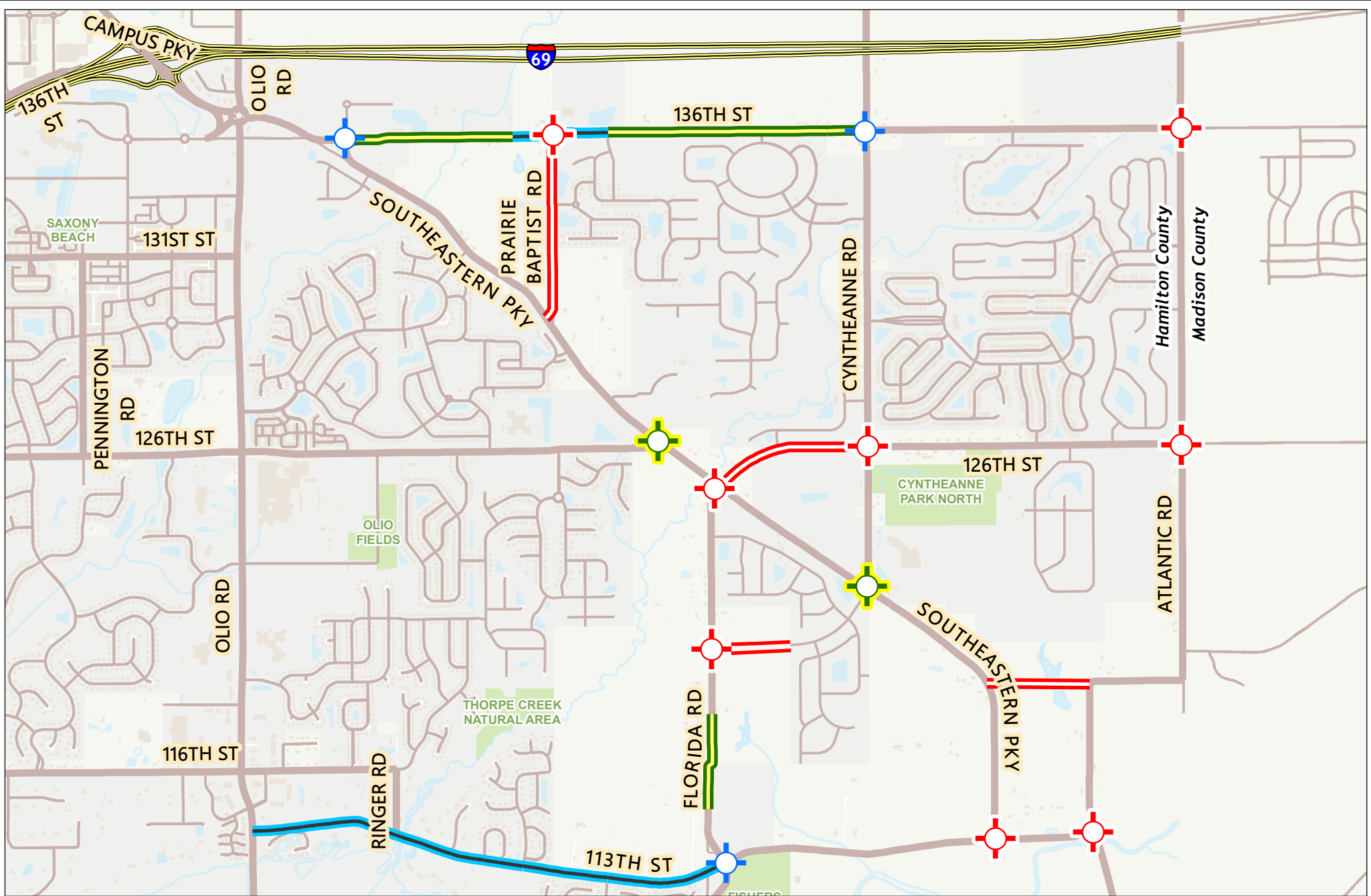
**ORDINANCE NO. 071921A**




C. The removal of trees for public health and safety shall be allowed.

Except as set forth in paragraphs A, B, and C immediately above, each tree within the Preservation Area which is badly damaged or destroyed by a lot owner or during the course of construction activities and which is greater than four (4) inches in diameter, measured six (6) inches above the ground, shall be replaced within one (1) year, by the person or entity causing such damage or destruction, with a tree which is at least two and one-half (2-1/2) inches in diameter measured six (6) inches above the ground. Any trees which are so replaced, and which die within one (1) year of their planting shall promptly be replaced with a substantially similar tree.

2. Subject only to alteration and tree removal in order to accommodate drainage, utilities, and trails, the flood plain along Thorpe Creek shall be maintained in its natural state, to the best of the developer's ability.





- Legend**
-  Completed Projects
  -  Developing Projects
  -  Unfunded Projects

## Area Development Exhibit






**FISHERS**  
EST. 1872

0      2,000 Feet







- Legend**
-  Completed Projects
  -  Developing Projects
  -  Unfunded Projects

## Area Development Exhibit



0 2,000 Feet





# Council Action Form

<b>MEETING DATE</b>	August 16, 2021			
<b>TITLE</b>	Consideration of a rezone of 107 acres from R-2 to PUD-Residential for a maximum 192-unit single-family residential development, known as The Cove at Thorpe Creek PUD.			
<b>SUBMITTED BY</b>	Name & Title: Megan Schaefer, Director, Planning & Zoning			
	Department:			
<b>MEETING TYPE</b>	<input type="checkbox"/> Work Session	<input checked="" type="checkbox"/> Regular	<input type="checkbox"/> Special	<input type="checkbox"/> Retreat
	<input type="checkbox"/> Executive			
<b>AGENDA CLASSIFICATION</b>	<input type="checkbox"/> Consent	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Regular
<b>ORDINANCE/RESOLUTION</b> <small>(New ordinances or resolutions are assigned a new number)</small>	<input type="checkbox"/> 1 <sup>st</sup> Reading	<input type="checkbox"/> 2 <sup>nd</sup> Reading	<input type="checkbox"/> Public Hearing	<input type="checkbox"/> 3 <sup>rd</sup> Reading
				<input checked="" type="checkbox"/> Final Reading
	Ordinance #: 07192A		Resolution #:	
<b>CONTRACTS</b> <small>(Contracts include other similar documents such as agreements and memorandum of understandings. <u>Check all applicable boxes pertaining to contracts</u>)</small>	<input type="checkbox"/> Contract <b>required</b> for this item		<input type="checkbox"/> Signed copy of contract attached	
	<input type="checkbox"/> Seeking award or other scenario & <b>will provide contract</b> at a later date		<input checked="" type="checkbox"/> <b>No contract</b> for this item	
	<input type="checkbox"/> Contract <b>over</b> \$50,000  Please mark the box in the other column that pertains to this contract.		<input type="checkbox"/> Services  <input type="checkbox"/> Capital Outlay  <input type="checkbox"/> Debt Services	
<b>HAMILTON COUNTY</b> <small>(Some documents need recorded by the City Clerk)</small>	<input checked="" type="checkbox"/> Document <b>must</b> be recorded with the County Recorder's Office  <input type="checkbox"/> Wait 31 days <b>prior to</b> filing with the County Recorders' Office		<input type="checkbox"/> Document <b>does not need</b> recorded with the County Recorder's Office	



<b>APPROVALS/REVIEWS</b>	<input type="checkbox"/> Assistant/Deputy Department Head	<input type="checkbox"/> Controller's Office
	<input checked="" type="checkbox"/> Department Head	<input type="checkbox"/> Finance Committee
	<input type="checkbox"/> Deputy Mayor	<input type="checkbox"/> Technical Advisory Committee
	<input type="checkbox"/> Mayor	<input type="checkbox"/> Other:
	<input type="checkbox"/> Legal Counsel – <i>Name of Reviewer:</i>	
<b>BACKGROUND</b> (Includes description, background, and justification)	<p>Faegre Drinker, LLP on behalf of Grand Communities LLC requests a rezone of 107 acres from R-2 to PUD-R. The new zoning district will be known as the 'Cove at Thorpe Creek PUD' and is generally located on the east and west side of Florida Rd, north of 113th St. The underlying zoning districts for this PUD will incorporate the R3 &amp; R5 Residential Zoning District development standards found within the City's Unified Development Ordinance (UDO), except as modified by the proposed ordinance. The project consists of maximum 192 single-family residential lots. Please reference the Petitioner's Packet for the proposed Concept Plan and Illustrative Architectural Exhibit for the proposed homes to be built.</p> <p>Side yard setbacks have been revised to 10' to address comments brought up by Councilman DeReamer during 1st Reading at Council. Our Engineering Department has reviewed this area to ensure proper traffic flow is maintained over time, and an exhibit labeled "City Road Improvements" is attached to this report for more information on current and planned road improvement projects in this area.</p> <p>Architectural home elevations were approved by the PUD Committee at its August 4, 2021 meeting.</p> <p>A public hearing was held by Plan Commission on August 4, 2021. Concerns regarding drainage and traffic were brought up. Road improvements will be required per the City's Thoroughfare Plan and drainage will be improved through additional stormwater infrastructure.</p>	
<b>BUDGETING AND FINANCIAL IMPACT</b> (Includes project costs and funding sources)	Budgeted \$:	Not applicable (N/A)
	Expenditure \$:	N/A
	Source of Funds:	N/A
	Additional Appropriation #:	N/A
	<b>Narrative:</b>	N/A
<b>OPTIONS</b> (Include <i>Deny Approval</i> Option)	1.	Hold Final Reading and approve
	2.	Hold Final Reading and deny
	3.	Continue
	4.	Take no action
<b>PROJECT TIMELINE</b>	<p>July 19, 2021 - First Reading at City Council  August 4, 2021, 2021 - Public Hearing at Plan Commission  August 16, 2021 - Final Reading at City Council</p>	

<b>STAFF RECOMMENDATION</b> (Board reserves the right to accept or deny recommendations)	Staff recommends Council hold First Reading and provide feedback.
<b>SUPPLEMENTAL INFORMATION</b> (List all attached documents)	Petitioner's Packet Ordinance