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Year
2018

THE YARD AT FISHERS DISTRICT PUD

City of Fishers
Planned Development
Ordinance
No. 021918B

Year

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THE YARD AT FISHERS DISTRICT PUD

1.02 Applicability

- A. The standards of the UDO applicable to the **C3** Commercial District shall apply to the development of the Real Estate, except as modified, revised, or expressly made inapplicable by this Ordinance. "Article" cross-references of this Ordinance shall hereafter refer to the *Article* section as specified and referenced in the UDO. Capitalized terms that are not otherwise defined herein shall have the meaning ascribed to them in the UDO. Pursuant to *Article 4.02(F): Amendments to the Unified Development Ordinance*, an amendment to the UDO shall apply to this Ordinance unless this Ordinance has specified an alternative development or design standard, and *Article 1.10: Basic Provisions: Transition Rules* also shall apply to amendments.

1.03 Concept Plan

- A. The Concept Plan, attached hereto as **Exhibit A**, is hereby incorporated. The Real Estate's Development Plan shall be substantially consistent with the Concept Plans and shall be reviewed and approved based upon compliance with the development and design standards set forth herein. Article 9.18(M)(1) shall not apply. 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 fifteen (15) 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 Plan's compatibility and consistency with the intended quality and character of The Yard at Fishers District 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.

1.04 Development Standards

- A. **Cross References:** The regulations of *Article 05: Development Standards* shall apply, except as modified by this Ordinance.
- B. **General Regulations:** *Article 2.28: C3 Commercial District Development Standards* shall not apply. Instead, the following shall apply
- (1) Minimum perimeter Setbacks shall be as follows:
 - (a) Minimum Setback from northern perimeter of Real Estate (116th Street): Twenty (20) feet.
 - (b) Minimum Setback from western perimeter of Real Estate (IKEA Way): Twenty (20) feet.
 - (c) Minimum Setback from southern perimeter of Real Estate: Ten (10) feet.
 - (d) Minimum Setback from eastern perimeter of Real Estate: Ten (10) feet.
 - (2) Minimum Building Separation shall be twenty (20) feet¹.
 - (3) Minimum Internal Setback shall be five (5) feet from the edge of pavement of any access drive or street².
 - (4) Maximum Impervious Surface Coverage shall be ninety (90) percent.
 - (5) Maximum Structure Height shall be eighty-five (85) feet.
- C. **Accessory Structure Standards (AS):** shall apply, except as modified below:
- (1) Article 5.09 AS-06: Accessory Structures; Commercial; (B)(3)(b): *General Requirements; Setbacks* shall apply, except as modified below:
 - (i) Patios may encroach upon the front, side, and rear setbacks.
 - (2) Article 5.09 AS-06: Accessory Structures; Commercial; (B)(3)(c): *General Requirements; Buffer Yards* shall not apply.
 - (3) Article 5.09 AS-06: Accessory Structures; Commercial; (B)(3)(d): *General Requirements; Easements* shall apply, except as modified below:
 - (i) In no case shall any accessory structure encroach upon any easement, unless permitted by the

1 Minimum Building Separation shall be measured from the structural wall (not architectural projections or building articulations) and shall not apply to the mixed-use building and parking structure identified on the Concept Plan (collectively, the "Mixed-Use Building").

2 Minimum Internal Setback shall not apply to the Mixed-Use Building.

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- easement grantee or not prohibited by the easement.
- (4) Article 5.09 AS-06: Accessory Structures; Commercial; (C): *Enclosed Building Requirement*; shall not apply.
 - (5) Article 5.10 AS-07: Accessory Structures; Outdoor Dining; (A)(2): *Enclosure*; shall apply. In addition, an aluminum fence at least thirty-six inches tall shall also be permitted.
 - (6) Article 5.10 AS-07: Accessory Structures; Outdoor Dining; (B): *Canopy*; shall not apply.
- D. Architectural Design Standards (AD): shall not apply to the Mixed-Use Building; instead, the Mixed-Use Building shall be substantially similar in quality and character to the Illustrative Architectural Exhibit. Architectural Design Standards (AD): shall apply to all other buildings on the Real Estate, except as modified below:
- (1) The Illustrative Architectural Exhibit, attached hereto as **Exhibit B**, is hereby incorporated to illustrate conceptually the elements and anticipated character of and to establish a benchmark for the architecture and design of all new buildings constructed on the Real Estate. The final building designs may vary from the Illustrative Architectural Exhibit; however, buildings shall be substantially similar in quality and character to the buildings shown in the Illustrative Architectural Exhibit.
 - (2) Article 5.15 AD-03: Architectural Design; Commercial; (A)(2): *Facade; Exterior Materials*; shall apply. In addition, the following materials shall be permitted: composite wood materials, steel, aluminum, metal, precast concrete, stone, and porcelain/ceramic tile.
 - (3) Article 5.15 AD-03: Architectural Design; Commercial; (A)(3): *Facade; Exterior Adjacent to Residential*; shall apply. In addition, the following materials shall be permitted: composite wood materials, steel, aluminum, metal, precast concrete, stone, fiber cement board siding and porcelain/ceramic tile.
 - (4) Article 5.15 AD-03: Architectural Design; Commercial; (A)(7)(b): *Facade; Colors; Building Trim and Accent Areas* shall apply. In addition, LED lighting or tubing shall be an acceptable feature for building trim or accent areas.
 - (5) Article 5.15 AD-03: Architectural Design; Commercial; (E): *Mechanical and Utility Equipment Screening*; shall apply, except as modified below:
 - (i) All mechanicals shall be located and screened to minimize visibility from the Real Estate's property line and adjacent Rights-of-Way at the grade of the site.
 - (6) Article 5.15 AD-03: Architectural Design; Commercial; (G): *Signature Feature*; shall not apply. Instead, signature features substantially similar to and in the locations depicted on the Signature Feature Exhibit, attached hereto as **Exhibit C**, shall satisfy this requirement.
- E. Density & Intensity Standards (DI): shall apply.
- F. Entrance & Driveway Standards (ED): shall apply, except as modified below:
- (1) Article 5.24 ED-01: Entrances and Driveways; General; (D)(1): *Proximity*; shall apply, except as modified below:
 - (i) No entrance or driveway shall be permitted to be installed within three hundred and seventy-five (375) feet of any intersecting street if along an arterial or collector road (measured from mid-point to mid-point).
 - (2) Article 5.24 ED-01: Entrances and Driveways; General; (E)(3), (4), and (5): *Maximum Pavement Width*; shall not apply.
- G. Environmental Standards (EN): shall apply.
- H. Fence & Wall Standards (FW): shall apply, except as modified below:
- (1) Article 5.33 FW-04: Fence and Wall; Commercial; (D): *Trash Receptacle Screening*; shall apply, except as modified below:
 - (i) A solid masonry wall is required to be placed around all common trash receptacles with a minimum height equal to height of the receptacle, plus at least one (1) foot. Trash receptacles shall be gated.
- I. Floodplain Standards (FP): shall apply.
- J. Floor Area Standards (FA): shall apply.
- K. Height Standards (HT): shall apply.

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- L. Home Occupation Standards (HO): shall apply.
- M. Landscaping Standards (LA): shall apply, except as modified below:
 - (1) Article 5.40 LA-02: Landscaping Standards; Street Trees; (H): *Escrow*; shall apply. In addition, an itemized estimate prepared by a landscape contractor shall also be accepted by the City.
 - (2) Article 5.42 LA-04: Landscaping Standards; Commercial, Multi-Family, Industrial Lot and Foundation Plantings; (B): *Foundation Plantings*; shall apply, except as modified below:
 - (i) At least two (2) shrubs, ornamental grasses, and/or ornamental trees shall be planted for every twelve (12) lineal feet of building circumference exclusive of loading dock openings. Plantings may be clustered and planted in a location approved by the Director.³
 - (3) Article 5.43 LA-05: Landscaping Standards; Non-Residential Uses; Lot and Foundation Plantings; shall not apply.
 - (4) Article 5.44 LA-06: Landscaping Standards; Parking Lot Plantings; (B)(2): *Interior Parking Lot Landscaping*; shall apply, except as modified below:
 - (i) Each island or peninsula shall be at least one hundred sixty-two (162) square feet in size.
 - (5) Article 5.44 LA-06: Landscaping Standards; Parking Lot Plantings; (B)(7): *Interior Parking Lot Landscaping*; shall apply, except as modified below:
 - (i) Parking lot landscape areas shall be free of litter and be maintained with plant materials and mulch or stone.
 - (6) Article 5.44 LA-06: Landscaping Standards; Parking Lot Plantings; (C): *Parking Structure Perimeter Landscaping*; shall not apply. Instead, the following shall apply:
 - (i) Parking structures shall have a minimum of a three (3) foot wide planting bed on elevations visible from the perimeter of the Real Estate, exclusive of any ingress/egress, door, or loading dock openings. That planting bed shall include grouped shrubbery to provide a more pedestrian scale to abutting pedestrian ways and trees provided at a ratio of one (1) tree per twenty (20) lineal feet of applicable building perimeter.
 - (ii) Green screens shall be provided as shown on the Illustrative Architectural Exhibit, attached hereto as **Exhibit B**.
 - (7) Article 5.45 LA-07: Landscaping Standards; Buffer Yards; shall not apply. Instead, a Buffer Yard shall be installed as shown on the Buffer Yard Exhibit, attached hereto as **Exhibit D**, except as modified below:
 - (i) Trees may be planted anywhere within the Buffer Yard. If utility easements prohibit plantings, then the Buffer Yard may be extended west to accommodate the required plantings.
 - (ii) Evergreen trees shall have a minimum height of ten (10) feet at planting.
- N. Lighting Standards (LT): shall apply, except as modified below:
 - (1) Article 5.49 LT-03: Lighting Standards; Multi-Family, Commercial, and Industrial; (A): *Maximum Luminaire Elevation*; shall apply, except as modified below:
 - (i) Parking lot lights shall not exceed thirty (30) feet in height.
- O. Loading Standards (LD): shall apply.
- P. Lot Standards (LO): shall apply.
- Q. Outdoor Storage Standards (OS): shall apply.
- R. Parking Standards (PK): shall apply, except as modified below:
 - (1) Article 5.64 PK-01: Parking Standards; General; (E)(1): *Parking Space Dimensions; Minimum Area*; shall apply, except as modified below:
 - (i) Each parking space shall be a minimum of one hundred sixty-two (162) square feet in area, unless the space abuts into a sidewalk or landscape area in which case shall have a minimum of one hundred forty-four (144) square feet in area.
 - (2) Article 5.67 PK-04: Parking Standards; Commercial; (A): *Parking Lot Encroachment into Setbacks, Landscape Easements, or Buffer Yards*; shall apply, except as modified below:
 - (i) If a landscape easement or buffer yard is not present, a parking lot shall not be installed within ten (10) feet of a side or rear lot line or within nine (9) feet of a front lot line,

³ For the Mixed-Use Building, Foundation Plantings shall only be required in the locations shown on **Exhibit F**, attached hereto.

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except when the parking lot is used as a shared parking lot as outlined below in §(G): *Shared Parking*.

- (3) Article 5.68 PK-05: Parking Standards; Number of Commercial Parking Spaces; (A): *Off-street Parking Requirement*; shall not apply. Instead, the following shall apply:
 - (i) Minimum Parking: Five (5) spaces per one thousand (1,000) square feet of the total Gross Floor Area constructed on the Real Estate shall be provided, except for the following uses:
 - (a) Multi-Family: 1.4 spaces per dwelling unit.
 - (b) Hotel: 1 space per hotel room, plus 1 space per employee on the largest shift.
- S. Pedestrian Accessibility Standards (PA): shall apply.
- T. Performance Standards (PF): shall apply.
- U. Permanent Outdoor Display Area Standards (PD): shall apply.
- V. Property Identification Standards (PI): shall apply.
- W. Public Art Standards (PT): shall apply.
- X. Public Improvement Standards (PV): shall apply.
- Y. Setback Standards (SB): shall apply, except as modified below:
 - (1) Article 5.82 SB-01: Setback Standards; General; (K)(8): *Exceptions* shall apply. In addition, foundations and footings may project into any required yard not more than two (2) feet.
 - (2) Article 5.82 SB-01: Setback Standards; General; (L): *Easements* shall apply, except as modified below:
 - (i) No structure, except fences, shall encroach upon any easement, unless specifically allowed in said easement.
 - (3) Article 5.84 SB-03: Setback Standards; Commercial; (A): shall apply, except as modified below:
 - (i) No part of any structure or building, excluding footings, eaves or a cornice overhang not exceeding four (4) feet, or a canopy over an entrance not exceeding fifteen (15) feet, shall be built within the required yard areas.
 - (4) Article 5.84 SB-03: Setback Standards; Commercial; (B): shall not apply.
- Z. Sewer & Water Standards (SW): shall apply.
- AA. Sexually Oriented Business Standards (SX): shall apply.
- BB. Sign Standards (SG): shall apply; however, a comprehensive sign package may be submitted for review and approval to the PUD Committee or Mayor or Mayor's Designee that may vary from the sign code as long as it is in keeping with the quality and character of the proposed development. In addition, street frontage, for the purposes of wall signs, shall include public/private streets, access drives, drive aisles, and parking lots.
- CC. Structure Quantity Standards (SQ): shall not apply. Instead, more than one (1) primary structure shall be permitted on a lot or parcel on the Real Estate.
- DD. Telecommunication Facilities Standards (TC): shall apply.
- EE. Temporary Use/Structure Standards (TU): shall apply.
- FF. Use-specific Standards (US): shall apply.
- GG. Vision Clearance Standards (VC): shall apply.

1.05 Design Standards

- A. Cross References: The regulations of *Article 7: Design Standards* applicable to a *Planned Unit Development (PUD)* shall apply except as modified by this Ordinance:
- B. Access Road Standards (AC): shall apply, except as modified below:
 - (1) Article 7.05 AC-02: Access Road Standards; Commercial; (B): *Maximum Ingress/Egress* shall not apply.
 - (2) Article 7.05 AC-02: Access Road Standards; Commercial; (C): *Separation of Ingress/Egress per Public Street* shall not apply. Instead, the following shall apply:
 - (i) The Real Estate shall have a maximum of two (2) ingress/egress points onto 116th Street.
 - (ii) The Real Estate shall have a maximum of three (3) ingress/egress points onto IKEA Way.
 - (iii) All ingress/egress points shall be a minimum of one hundred fifty (150) feet (measured from mid-point to mid-point) away from any ingress/egress on the same side of the street, or any off-site ingress/egress on the opposite side of the street. Separation is not required for ingress/egress

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points that are aligned with each other across the street. Separation is not required for right-in/right-out ingress/egress points with respect to an off-site ingress/egress on the opposite side of the street.

- (3) Article 7.05 AC-02: Access Road Standards; Commercial; (G): *Pavement Width* shall apply, except as modified below:
- (i) Parking shall be permitted on access roads within the Real Estate.
- C. Alley Standards (AL): shall apply.
 - D. Anti-monotony Standards (AM): shall apply.
 - E. Common Area Standards (CA): shall apply.
 - F. Covenant Standards (CE): shall apply.
 - G. Dedication of Public Improvement Standards (DD): shall apply.
 - H. Density and Intensity Standards (DE): shall apply.
 - I. Development Name Standards (DN): shall apply.
 - J. Easement Standards (EA): shall apply.
 - K. Erosion Control Standards (EC): shall apply.
 - L. Floodplain Standards (FL): shall apply.
 - M. Lot Establishment Standards (LT): shall apply, except as modified below:
 - (1) Article 7.19 LE-02: Lot Establishment Standards; Commercial and Industrial; (B)(1): *Commercial Lot Standards; Interior Street Frontage* shall not apply.
 - N. Mixed-Use Development Standards (MU): shall apply.
 - O. Monument & Marker Standards (MM): shall apply.
 - P. On-street Parking Standards (OG): shall apply.
 - Q. Open Space Standards (OP): shall apply, except as modified below:
 - (1) 7.26 OP-02: Open Space Standards, Non-Residential & Mixed-Use; (G): *Open Space, Non-Residential & Mixed-Use* shall not apply. Instead, the open space shall comply with 7.26 OP-02: Open Space Standards, Non-Residential & Mixed-Use; (J): *Alternative Open Space Standard*.
 - R. Pedestrian Network Standards (PN): shall apply.
 - S. Perimeter Landscaping Standards (PL): shall apply, except as modified below:
 - (1) Article 7.33 PL-02: Perimeter Landscaping Standards; Commercial and Industrial Development; (A): *Applicability* shall apply, except as modified below:
 - (i) Perimeter Landscaping standards shall apply to any portion of a commercial or industrial development that abuts an expressway, interstate highway, primary arterial, secondary arterial, or collector. Perimeter Landscaping shall be in aggregate with other landscape requirements, not in addition to.
 - (ii) Perimeter Landscaping shall not be required in the Pipeline Restricted Landscape Areas as shown in **Exhibit E** attached hereto and incorporated herein.
 - T. Prerequisite Standards (PQ): shall apply.
 - U. Storm Water Standards (SM): shall apply.
 - V. Street & Right-of-way Standards (SR): shall apply.
 - W. Street Lighting Standards (SL): shall apply, except as modified below:
 - (1) Article 7.41 SL-04: Street Lighting Standards; Commercial and Industrial Development; (B)(1): *Street Lights at Intersections* shall apply, except as modified below:
 - (i) The petitioner shall propose a lighting design that provides at least the minimum amount of light necessary for vehicular and pedestrian safety at all intersections within the development. Fixtures installed in these areas shall not exceed thirty (30) feet in overall height.
 - X. Street Name Standards (SN): shall apply.
 - Y. Street Sign Standards (SS): shall apply.
 - Z. Surety Standards (SY): shall apply.
 - AA. Utility Standards (UT): shall apply.

1.06 Food Trucks & Culinary Accelerators

- A. Food trucks and culinary accelerators shall be permitted, and shall have all manners of restaurant uses.

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1.07 Procedures

- A. The procedures set forth in *Article 9: Processes, Permits & Fees; Planned Unit Development* shall apply, as amended. Development plans shall be reviewed and approved based upon compliance with the development and design standards set forth herein.
- B. If applicable: (1) the Real Estate shall be assigned to the City's general PUD Committee (the "Committee") for review pursuant to *Article 9.20 Planned Unit Development; Final Development Plan*; and (2) prior to the Committee's review, the Mayor or Mayor's Designee shall review each building's preliminary architectural plan (e.g., elevations, roof plan, floor plan, and rendering) and approve such plan based upon compliance with the development and design standards set forth herein.
- C. The Committee, if applicable, and the Mayor or Mayor's Designee shall have discretion and flexibility to consider and approve modifications pertaining to any development and design standards established or referenced by this Ordinance if the Committee or Mayor or Mayor's Designee determines such modifications are consistent with the intent of this Ordinance and consistent with the quality and character represented in this Ordinance.

1.08 PUD Expiration

If, after five (5) years from the date of approval of this Ordinance, construction in the form of grading, infrastructure installation, or other land alteration has not commenced, then the provisions set forth by this Ordinance shall be rescinded as applied to the Real Estate, and the EN Employment Node District shall govern the Real Estate.

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021918B

1.09 Adoption

This ordinance shall be in full force and effect from and after its passage by the Common Council and after the occurrence of all other actions required by law. All provisions or parts of the UDO in conflict herewith are hereby repealed.

APPROVED by the Common Council of the City of Fishers this 19th day of March, 2018.

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

[Handwritten signatures and initials in blue ink, including 'a melle' and 'Cecilia Coble']

- Todd P. Zimmerman,
President
- Richard W. Block,
Vice-President
- David C. George,
Member
- C. Pete Peterson,
Member
- John W. Weingardt,
Member
- Eric Moeller,
Member
- Selina M. Stoller,
Member
- Cecilia C. Coble,
Member
- Brad DeReamer,
Member

[Handwritten signatures and initials in blue ink, including 'Abstain X', 'David C George', and 'Selina M Stoller']

I hereby certify that the foregoing Ordinance was delivered to City of Fishers Mayor Scott Fadness on the 19th day of March 2018, at 8:09 pm.

ATTEST: *[Signature]*
Jennifer L. Kehl, City Clerk

[Signature]
Scott A. Fadness, Mayor

MAYOR'S APPROVAL

3/19/2018
DATE

MAYOR'S VETO

DATE

Scott A. Fadness, Mayor

Approved by: Chris Greisl, City of Fishers, City Attorney
Prepared by: Steven D. Hardin, Esq.,
Faegre Baker Daniels LLP, 600 East 96th Street, Suite 600,
Indianapolis, Indiana 46240. (317) 569-9600.



In accordance with Indiana Code, I affirm, under penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law: Rex A. Ramage.

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1.10 Real Estate

A part of the Lots 1-12 and 14-18 in Spring Dale Estates, First Section as per plat thereof, recorded October 13, 1959 in Plat Book 2 Page 166 in the Office of the Recorder of Hamilton County, Indiana and Lots 19-30 in Spring Dale Estates - Section Two, as per plat thereof, recorded March 12, 1982 in Plat Book 9 Page 40, in the Office of the Recorder of Hamilton County, Indiana and the right-of-ways within said plats vacated by Instrument Number 2017026110, EXCEPT the right-of-way dedication for 116th Street and IKEA Way being more particularly described as follows:

Commencing at a Harrison Monument marking the Northeast corner of the Northeast Quarter of Section 6, Township 17 North Range 5 East, Hamilton County, Indiana thence South 88 degrees 39 minutes 02 seconds West on the north line of said Northeast Quarter 1,295.00 feet; thence South 00 degrees 29 minutes 02 seconds West 25.00 feet to the northeast corner of said Spring Dale Estates, First Section and the POINT OF BEGINNING; thence continuing South 00 degrees 29 minutes 02 seconds West on the east line of said First Section 350.00 feet to the northeast corner of said Spring Dale Estates-Section Two; thence the following six (6) calls along the east line thereof; 1.) thence South 00 degrees 29 minutes 02 seconds West 280.00 feet to the beginning of a tangent curve to the left, having a radius of 375.00 feet, and a central angle of 12 degrees 04 minutes 13 seconds; 2.) thence southerly along the arc of said curve 79.00 feet; 3.) thence South 11 degrees 35 minutes 13 seconds East 70.00 feet; 4.) thence South 78 degrees 24 minutes 47 seconds West 50.00 feet to the beginning of a non-tangent curve to the right, having a radius of 695.00 feet, and a central angle of 18 degrees 08 minutes 15 seconds; the radius point of which bears South 78 degrees 24 minutes 46 seconds West; 5.) thence southerly along the arc of said curve 220.01 feet; 6.) thence South 06 degrees 33 minutes 02 seconds West 12.81 feet to the southeast corner of said Section Two; thence South 88 degrees 39 minutes 02 seconds West on the south line of said Section Two 812.12 feet to the southwest corner thereof; thence North 00 degrees 29 minutes 02 seconds East on the west line of said Section Two 137.71 feet the east right of way of IKEA Way and to the beginning of a non-tangent curve to the left, having a radius of 381.00 feet, and a central angle of 20 degrees 36 minutes 07 seconds; the radius point of which bears North 62 degrees 57 minutes 41 seconds West; thence the following four (4) calls along said right of way; 1.) thence northerly along the arc of said curve 137.00 feet to a point which bears South 83 degrees 26 minutes 49 seconds East from said radius point; 2.) thence South 89 degrees 30 minutes 58 seconds East 10.06 feet; to the beginning of a non-tangent curve to the left, having a radius of 393.00 feet, and a central angle of 05 degrees 52 minutes 41 seconds; the radius point of which bears North 83 degrees 38 minutes 19 seconds West; 3.) thence along the arc of said curve 40.32 feet; 4.) thence North 00 degrees 29 minutes 02 seconds East 211.08 feet to the south line of Lot Number 13 in said Spring Dale, First Section; thence North 88 degrees 38 minutes 47 seconds East on the south line of said Lot Number 13 a distance of 79.77 feet to the southeast corner of said Lot Number 13; thence North 00 degrees 29 minutes 02 seconds East on the east line of said Lot Number 13 a distance of 150.11 feet; thence South 88 degrees 38 minutes 47 seconds West 79.77 feet to the east right of way line of IKEA Way; thence North 00 degrees 29 minutes 02 seconds East on said right of way line 283.93 feet; thence North 37 degrees 20 minutes 13 seconds East 40.38 feet to the south right of way line of 116th Street; thence the following two (2) calls on said right of way line; 1.) thence North 84 degrees 04 minutes 17 seconds East 125.40 feet; 2.) thence North 88 degrees 39 minutes 02 seconds East 578.75 feet to the northeast corner of Lot Number 6 in said Spring Dale Estates, First Section; thence North 00 degrees 29 minutes 02 seconds East 24.51 feet to the south right of way line of 116th; thence North 88 degrees 39 minutes 02 seconds East 50.00 feet to the POINT OF BEGINNING, containing 17.655 acres more or less.

And also:

Part of the Northeast Quarter of Section 6, Township 17 North, Range 5 East in Delaware Township, Hamilton County, Indiana also being part of the land described in Highpoint Ridge Tract H Building 8 recorded as Instrument Number 2013068473 in the Office of the Recorder of Hamilton County, being more particularly described as follows:

Commencing at the southwest corner of said in Highpoint Ridge Tract H Building 8; thence North 01 degrees 39 minutes 41 seconds East 48.40 feet; thence North 90 degrees 00 minutes 00 seconds East 12.13 feet to the POINT OF BEGINNING; thence North 07 degrees 53 minutes 51 seconds East 12.81 feet to a tangent curve to the left with a radius of 695.00 feet and a central angle of 18 degrees 08 minutes 12 seconds; thence northwesterly along the arc of said curve 220.00 feet to the northwest corner of said Highpoint Ridge Tract H Building 8; thence North 79 degrees 45 minutes 45 seconds East 50.00 feet to a non-tangent curve to the right with a radius of 745.00 feet and a central angle of 18 degrees 35 minutes 19 seconds; thence southwesterly along the arc of said curve 241.70 feet; thence North 90 degrees 00 minutes 00 seconds West 50.46 feet to the POINT OF BEGINNING, containing in all 0.272 acres more or less.

Exhibit A - Concept Plan

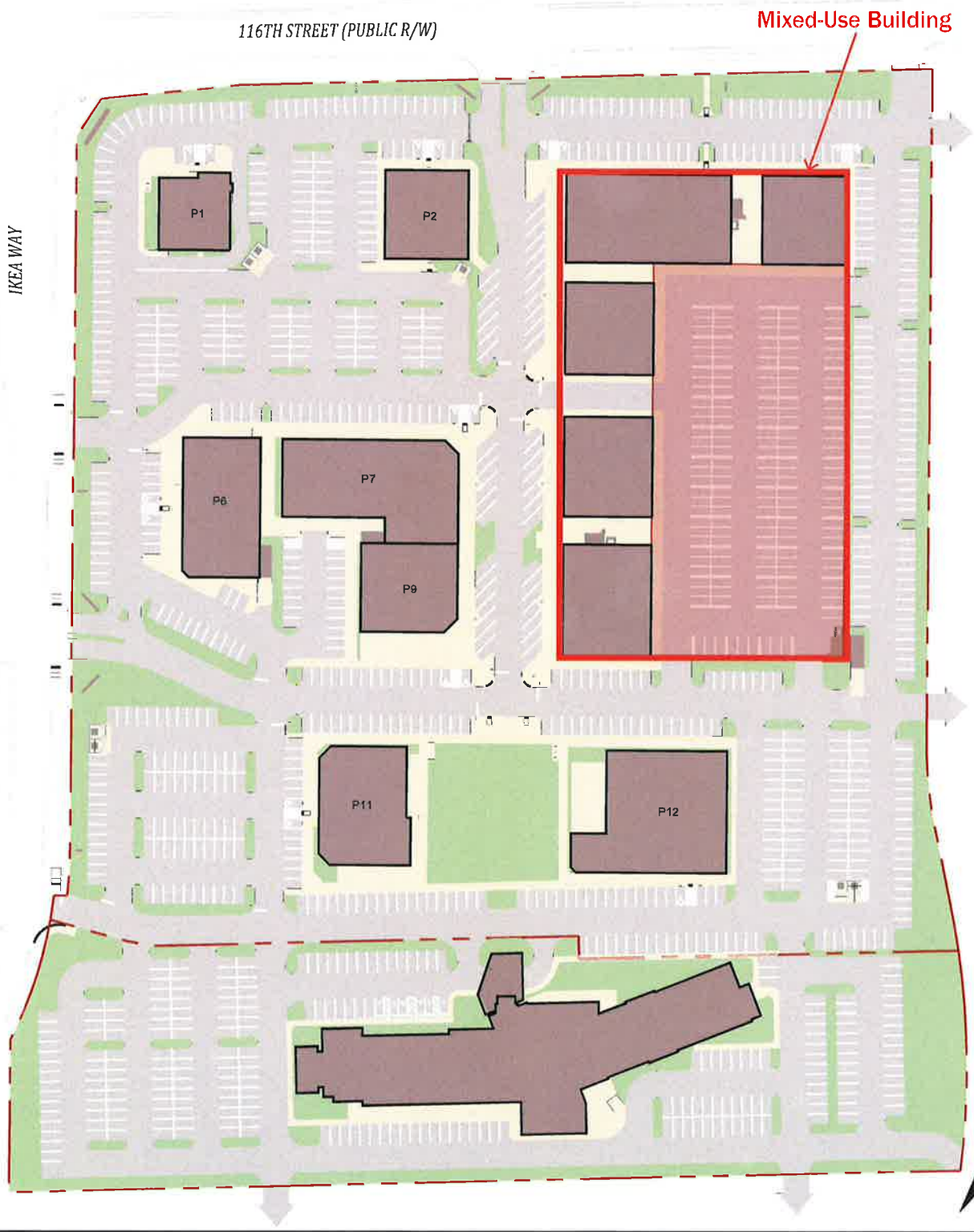
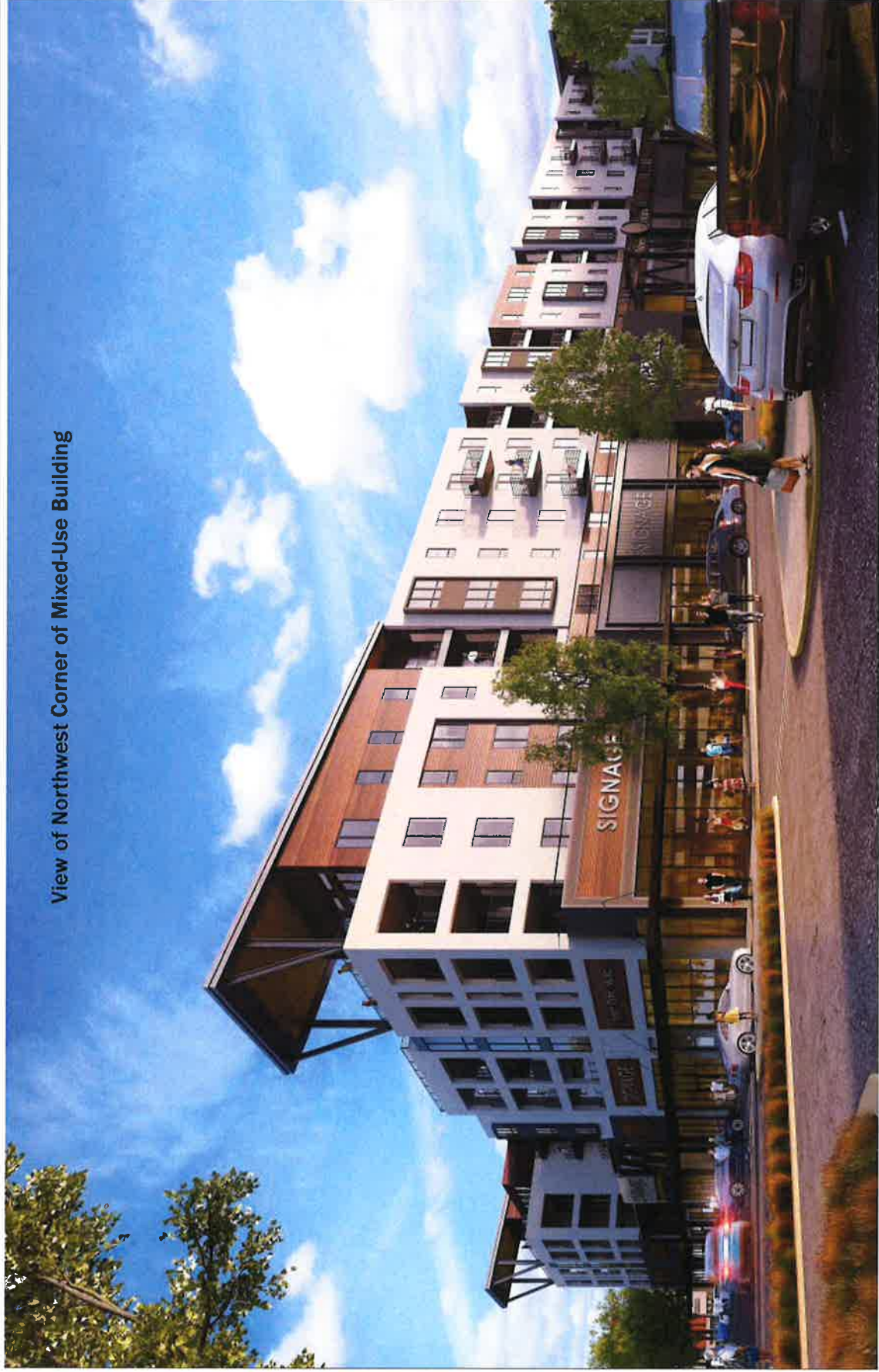
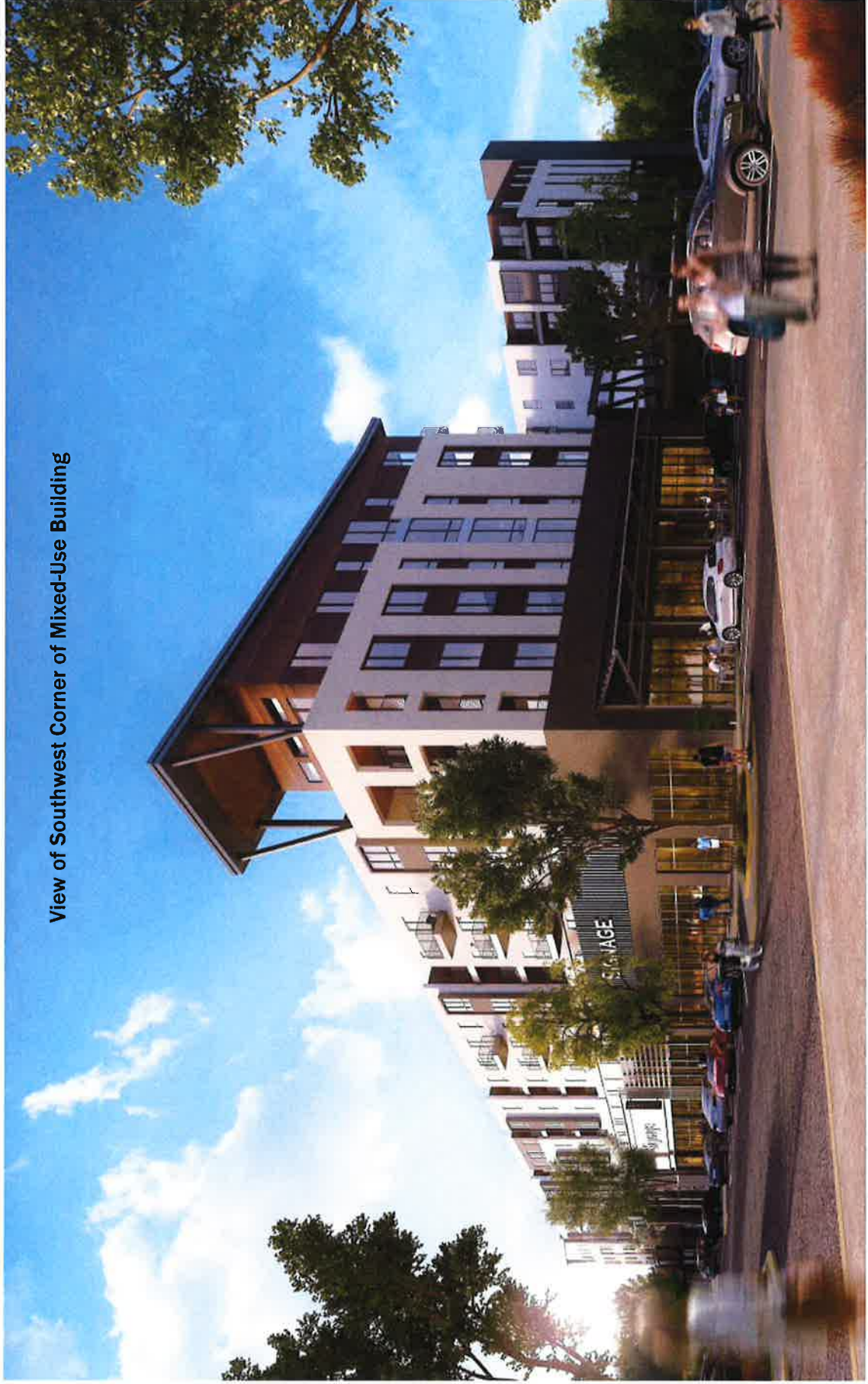


Exhibit B - Illustrative Architectural Exhibit



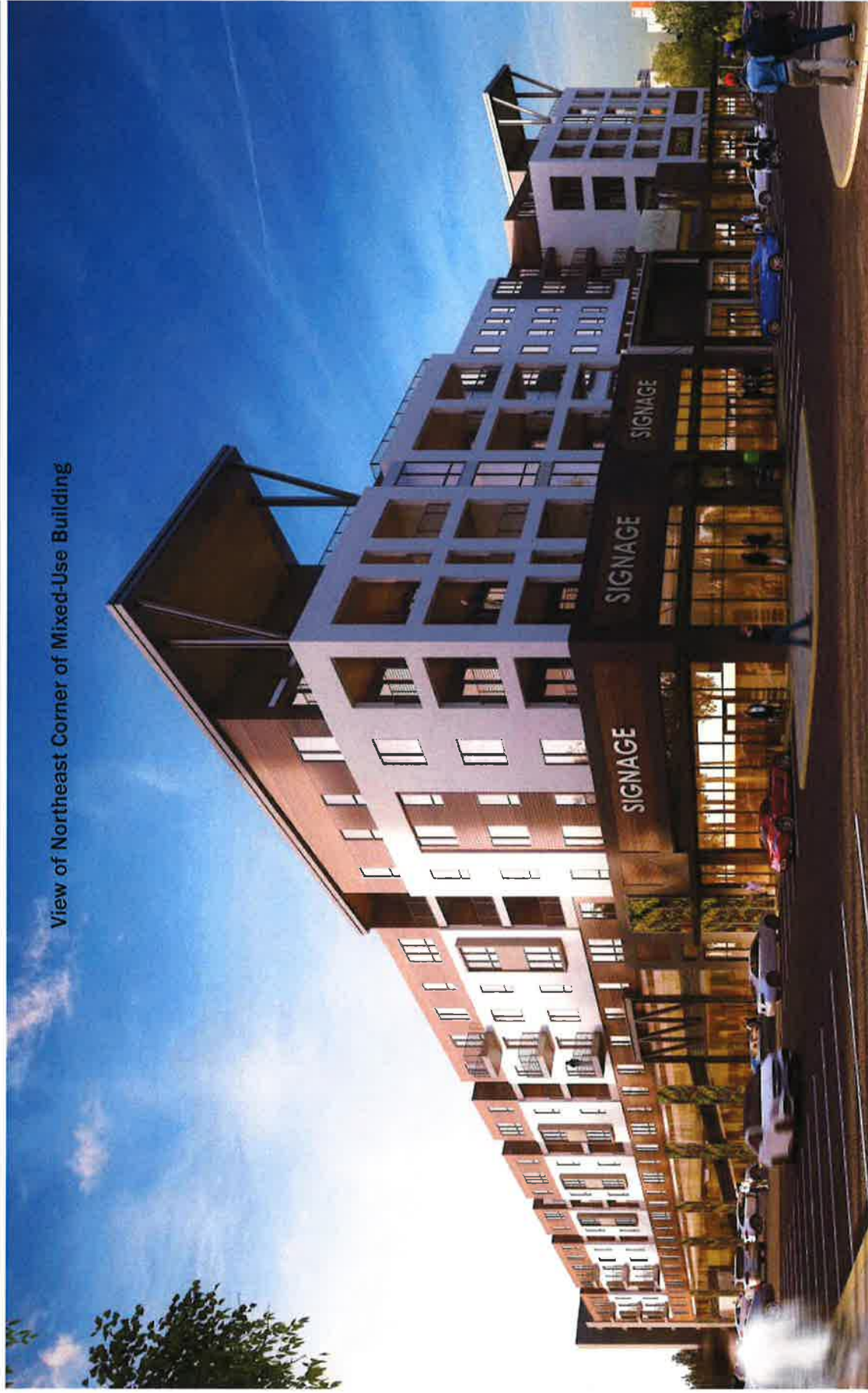
View of Northwest Corner of Mixed-Use Building

Exhibit B - Illustrative Architectural Exhibit



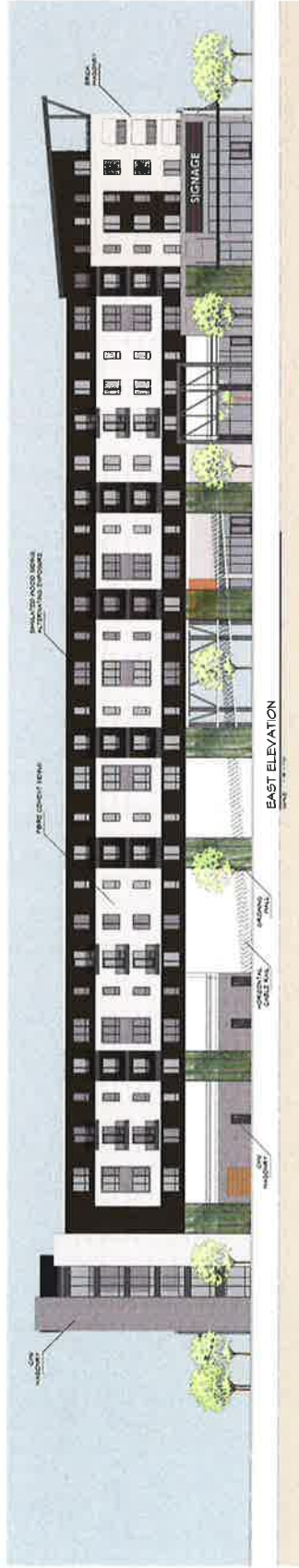
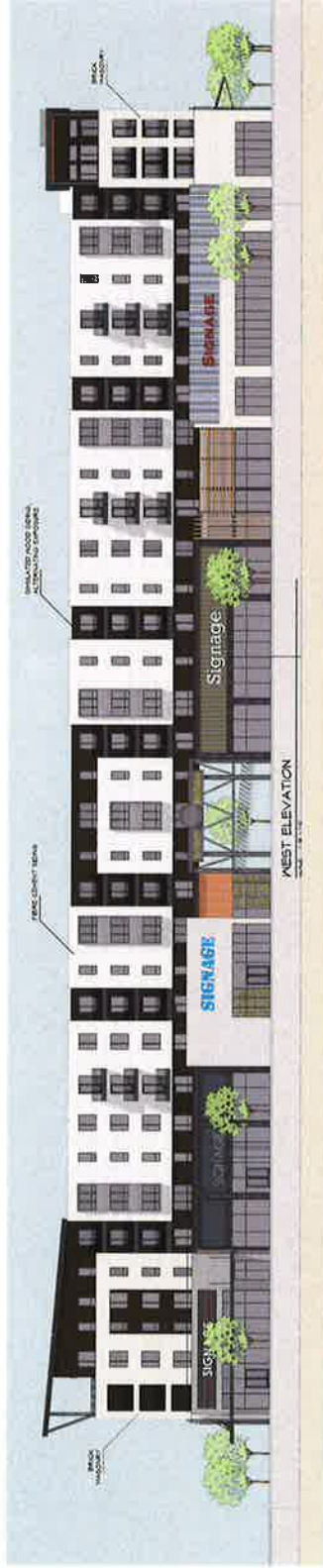
View of Southwest Corner of Mixed-Use Building

Exhibit B - Illustrative Architectural Exhibit

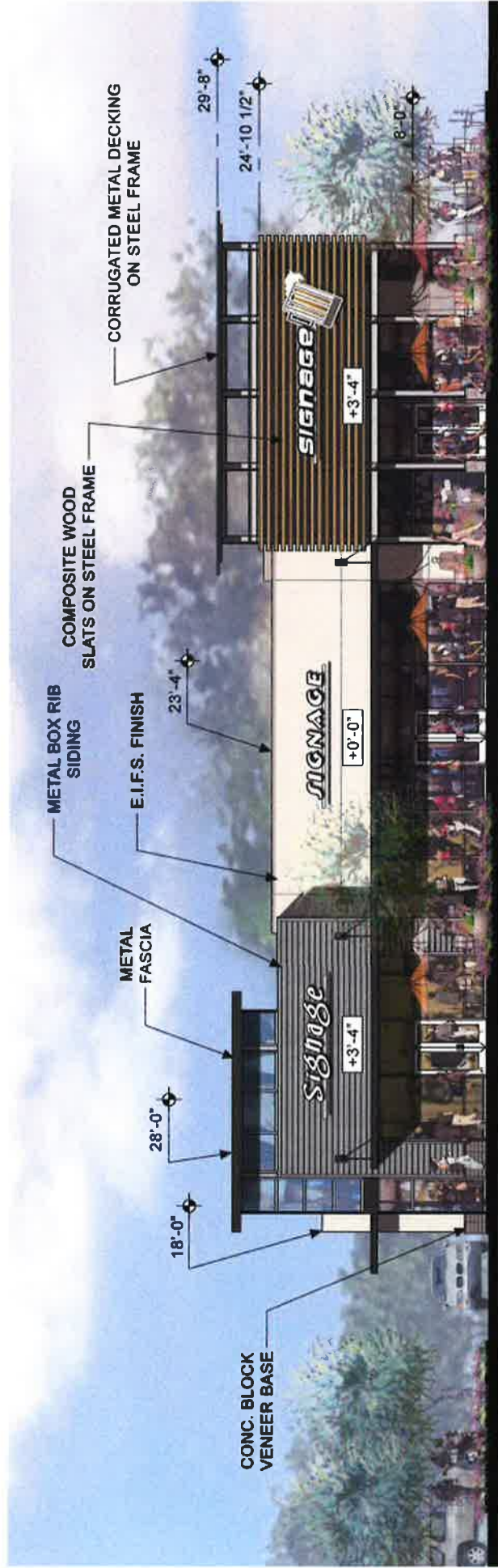


View of Northeast Corner of Mixed-Use Building

Mixed-Use Building Elevations



RENDERING IS AN ART. SUBJECTS AND ARE SUBJECT TO CHANGE THROUGHOUT THE PROJECT.



North Elevation - P1



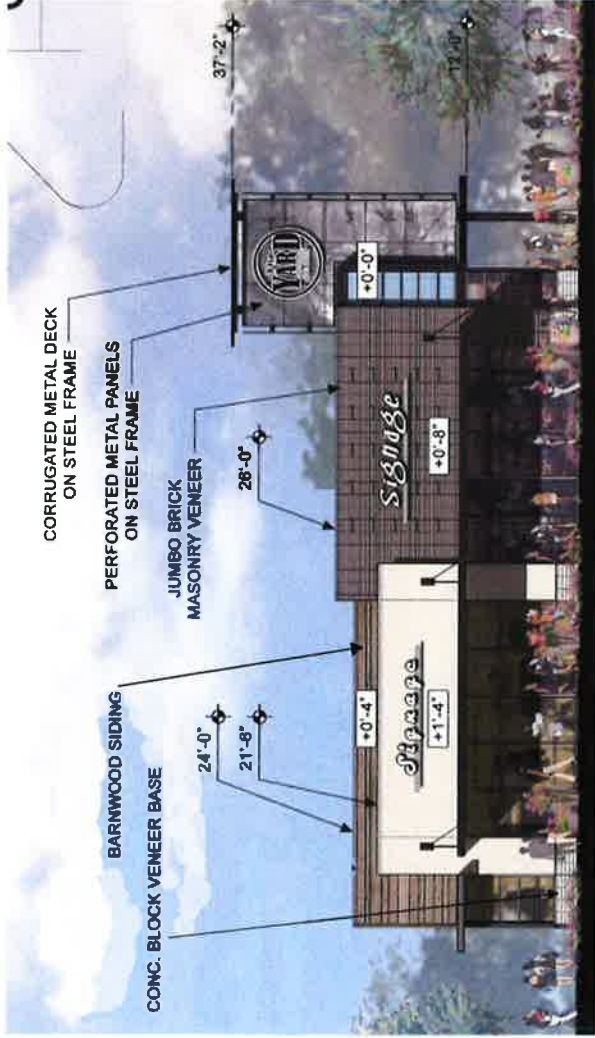
FISHERS DISTRICT

 Proposed Retail & Entertainment Center

 S.E.C. 116th & Lees Way

 Fishers, Indiana





North Elevation - P6

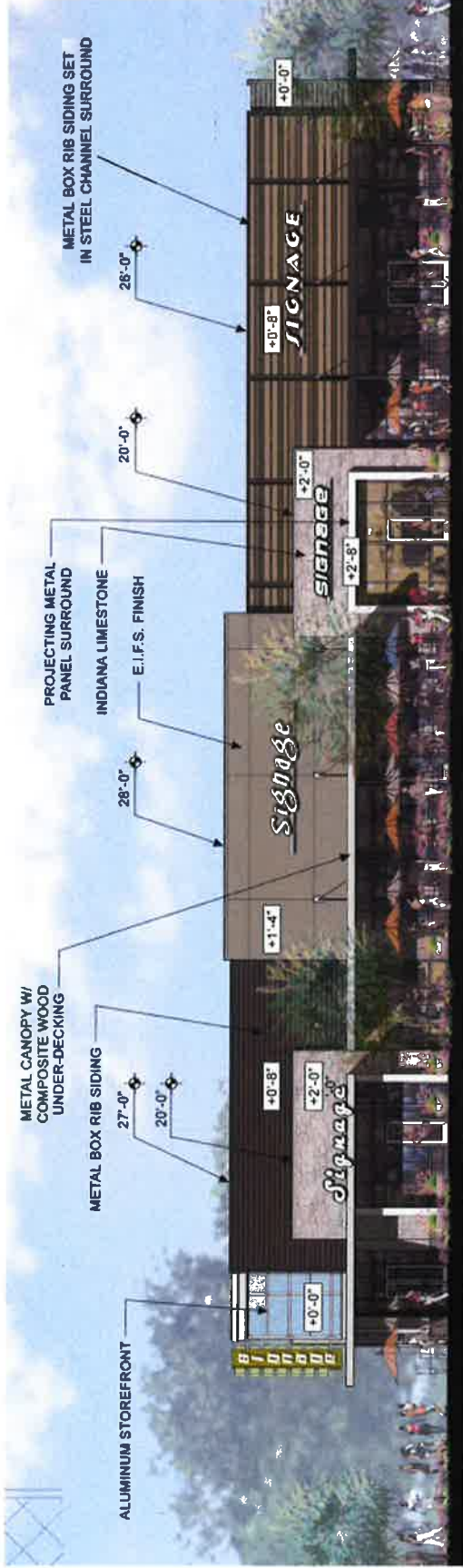


South Elevation - P6



Proposed Retail & Entertainment Center
 S.E.C. 116th & Ikea Way
 Fishers, Indiana





North Elevation - P7



East Elevation - P7



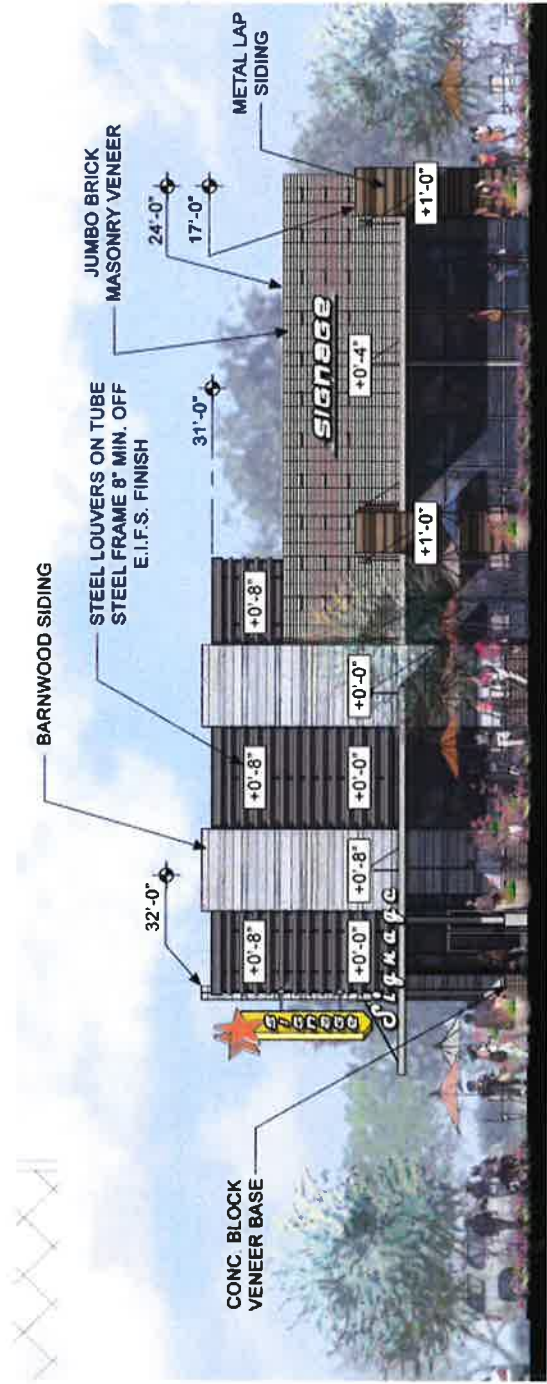
FISHERS DISTRICT

 Proposed Retail & Entertainment Center

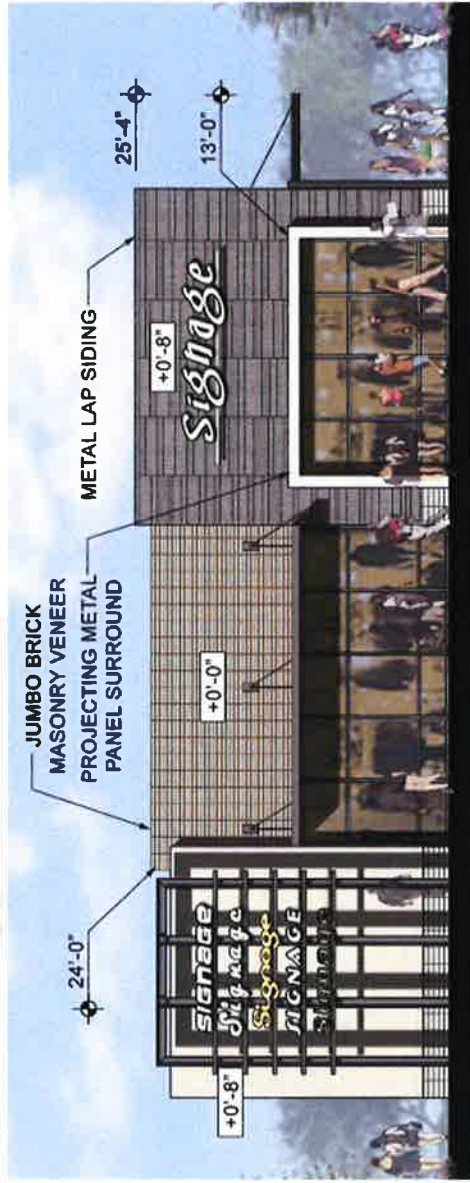
 S.E.C. 116th & Ikea Way

 Fishers, Indiana





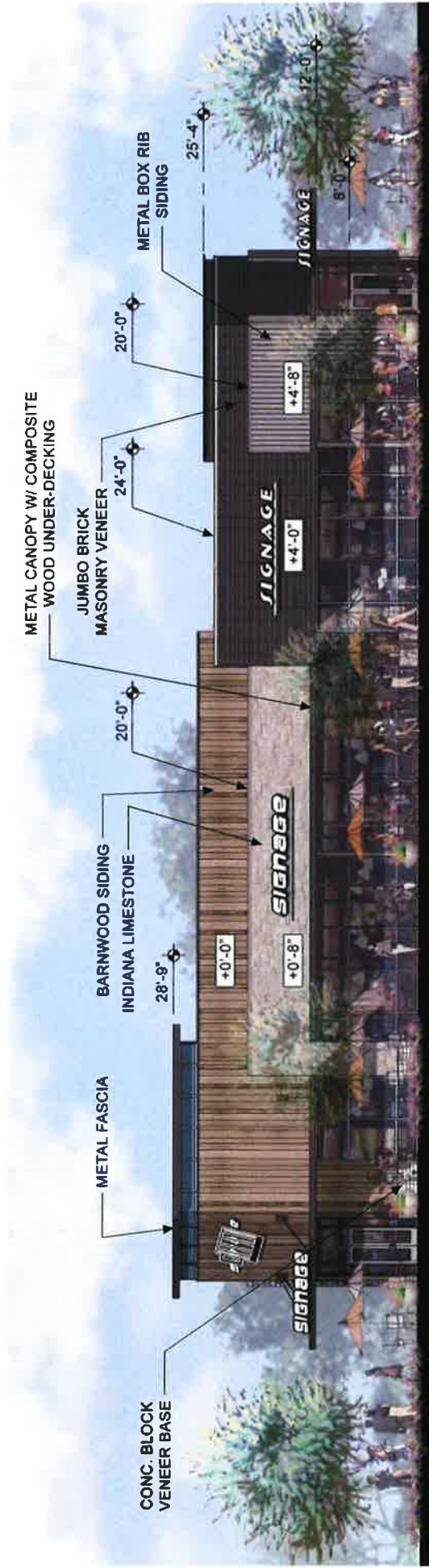
East Elevation - P9



West Elevation - P9

FISHERS DISTRICT
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 S.E.C. 116th & Ikea Way
 Fishers, Indiana





West Elevation - P11



FISHERS DISTRICT

 Proposed Retail & Entertainment Center

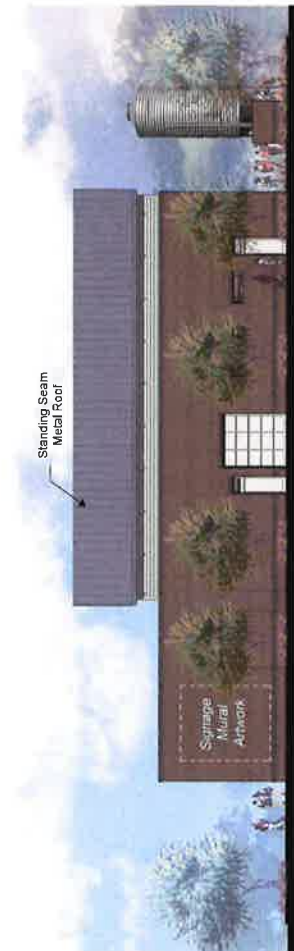
 S.E.C. 116th & Ikea Way

 Fishers, Indiana





West Elevation - P12



East Elevation - P12



South Elevation - P12



North Elevation - P12



FISHERS DISTRICT

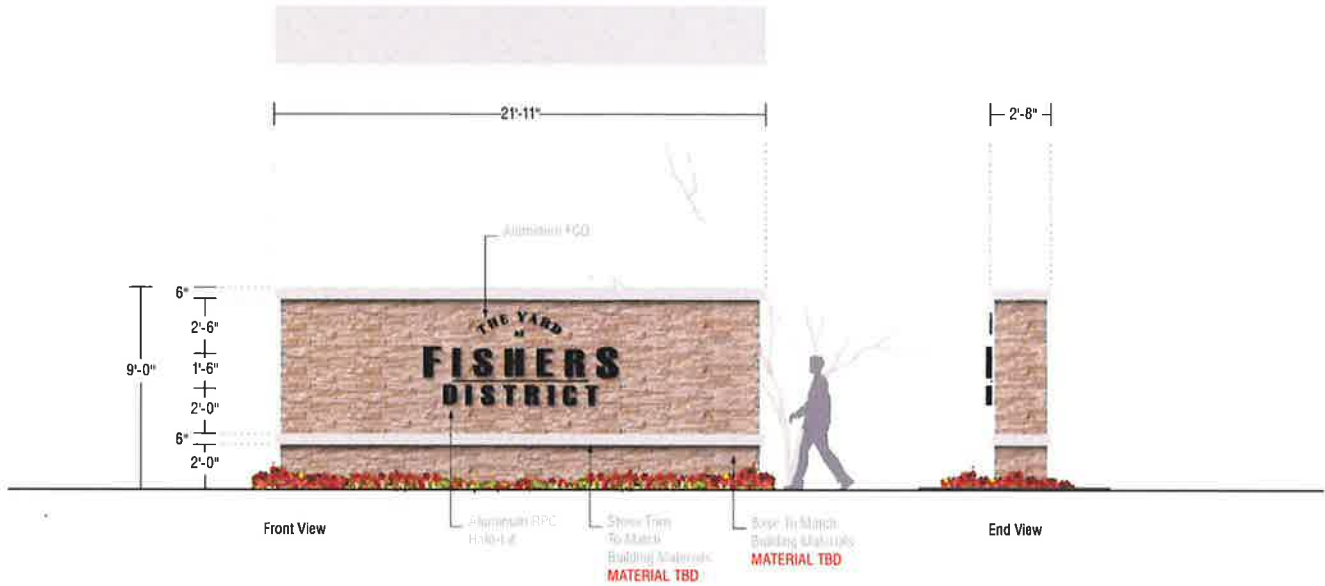
Proposed Retail & Entertainment Center
S.E.C. 116th & Ikea Way
Fishers, Indiana



Exhibit C - Signature Feature Exhibit (P.1)

Plan View

Entry Feature



Plan View

Corner Feature

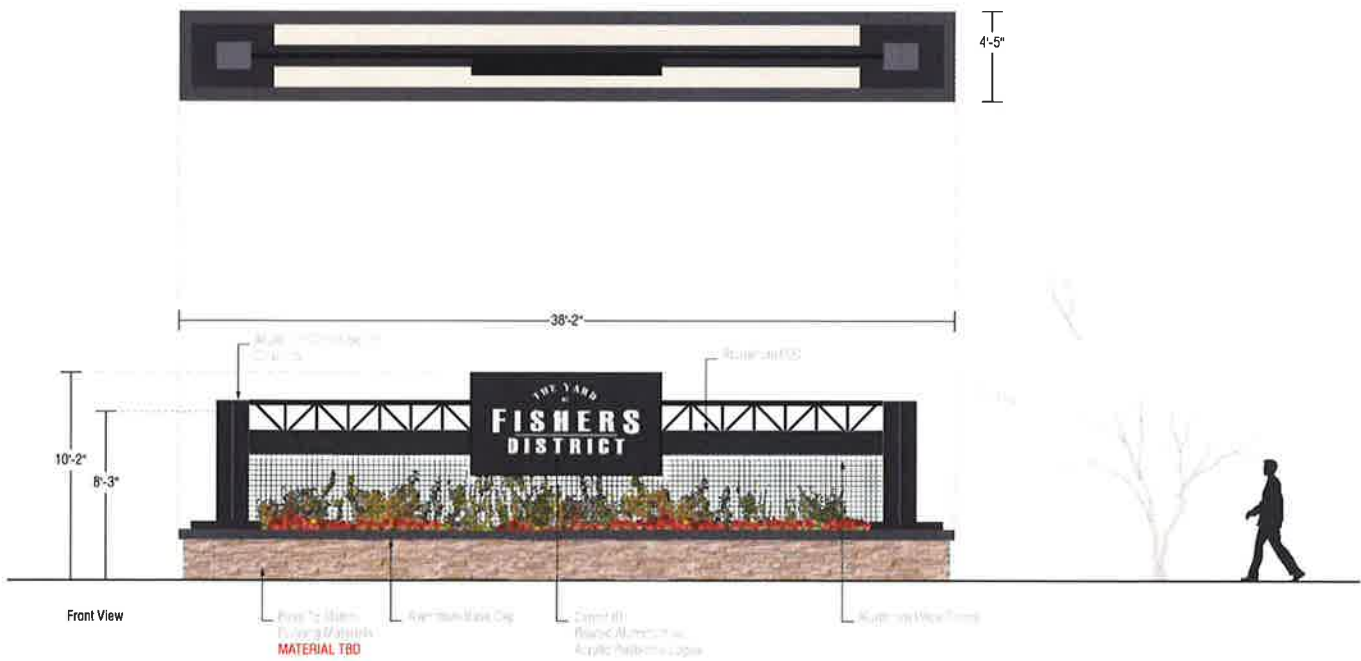


Exhibit C - Signature Feature Exhibit (P.2)

Corner Feature

Entry Feature

116TH STREET (PUBLIC R/W)

IKEA WAY

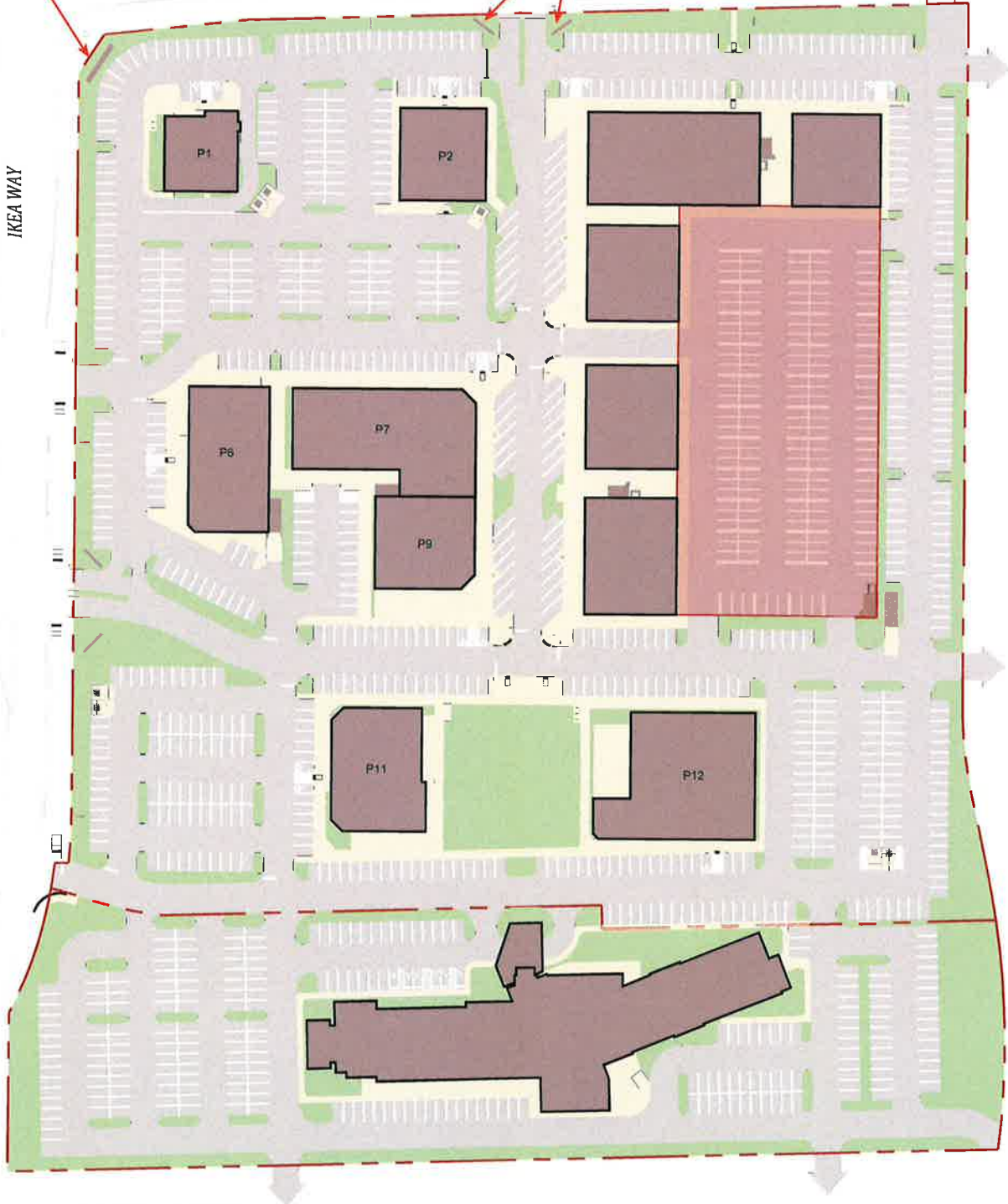


Exhibit D - Buffer Yard Exhibit

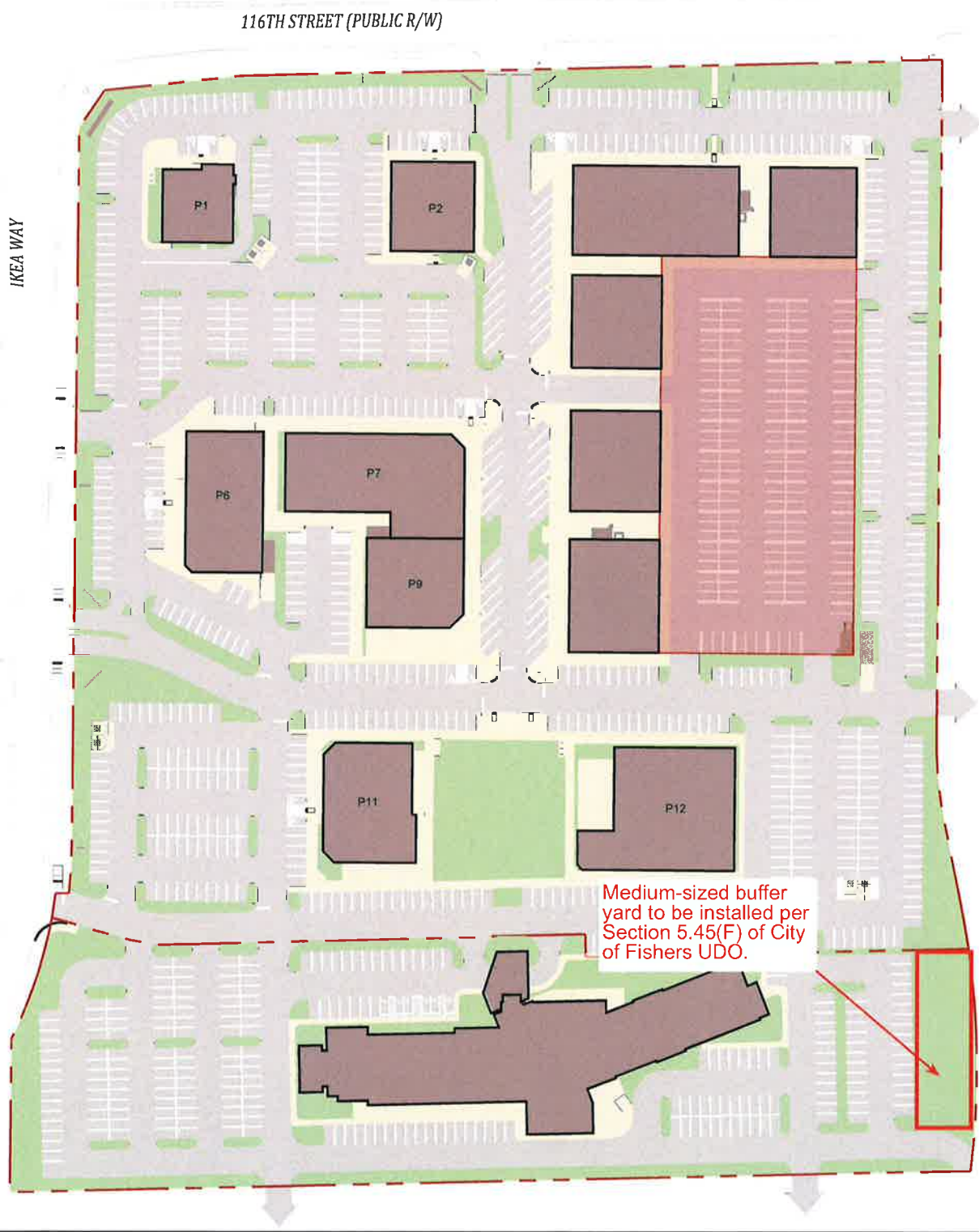


Exhibit E - Pipeline Restricted Landscape Areas

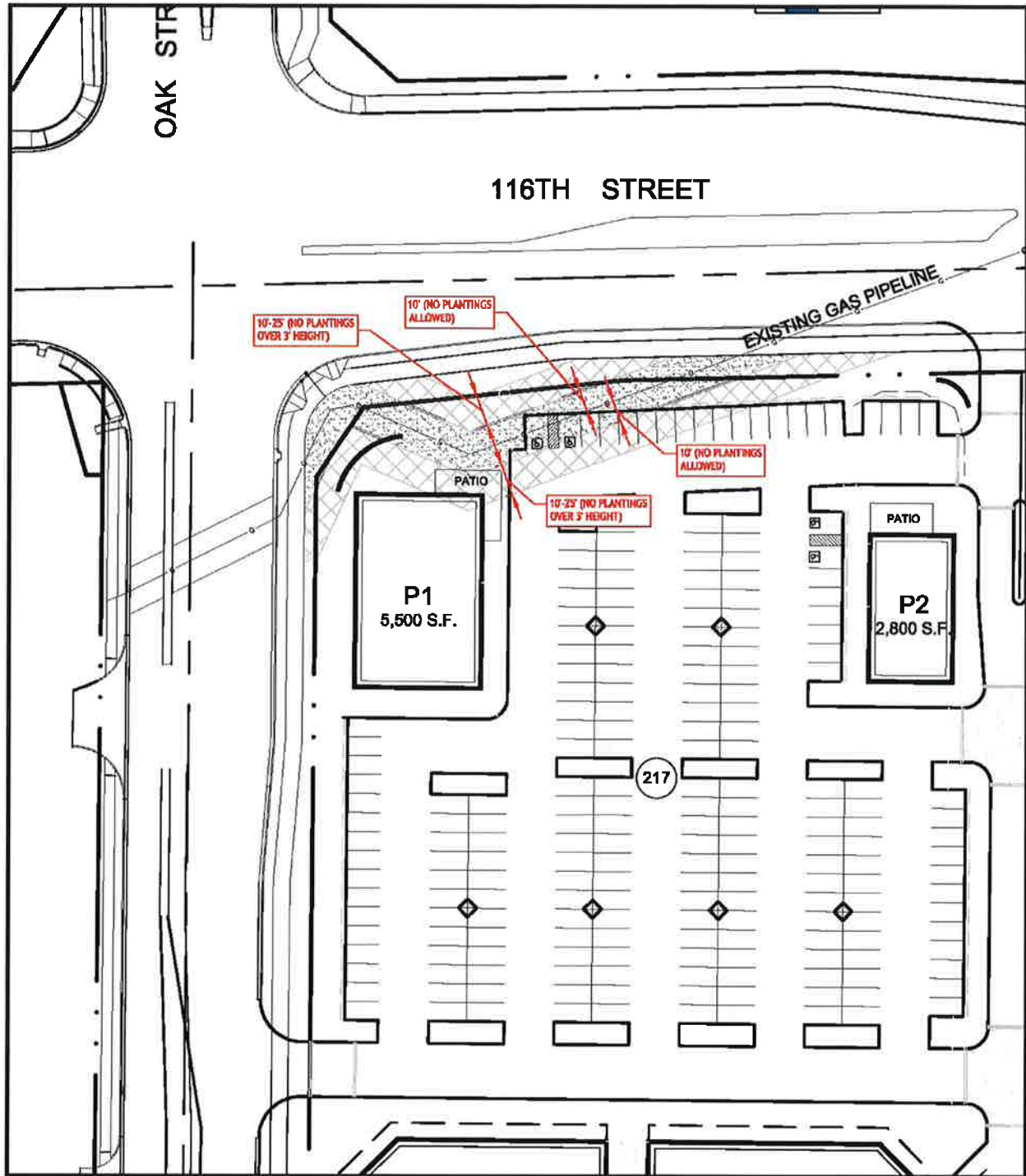


Exhibit F - Foundation Plantings Exhibit

