

CITY OF SHELBYVILLE

Adam M. Rude
Director



Allan Henderson
Deputy Director

PLAN COMMISSION

MEETING DATE: 6/28/2021

Case Number & Name:	PC 2021-08: Isabelle Farms PUD; Detail Plan			
Petitioner's Name:	Arbor Homes			
Owner's Name:	Gordon Farms, LLC			
Petitioner's Representative:	Caitlin Dopher			
Address of Property:	North Michigan Road/ North Riley Highway			
Subject Property Zoning Classification:	Current: A2 – Agricultural Proposed: Planned Unit Development			
Comprehensive Future Land use:	Single Family Residential			
	North	East	South	West
Surrounding Properties' Zoning Classifications:	R1 – Single Family Residential	IG – General Industrial	BH – Business Highway	IG – General Industrial
Surrounding Properties' Future Land Use	Single Family Residential	Gateway/Mixed Use	Commercial	Heavy/Medium Industrial
History:	The property encompasses approximately 83+ acres of farmland that is currently being farmed. The submitted application would establish a Planned Unit Development (PUD) district zoning classification for the subject site. The proposed PUD is to build a single-family housing development. Proposed road infrastructure would incorporate both public right-of-way with primary access from North Riley Highway and Michigan Road. This request is for detailed plan approval.			
Vicinity Map:				
Action Requested:	A formal recommendation to City Council on the PUD Detail Plan for the development of Isabelle Farms.			

In reviewing the Planned Development Detailed Plan petition, the Plan Commission and Common Council shall pay reasonable regard to the following, consistent with IC 36-7-4-603:

- a. Requirements and Intent: The extent to which the proposal fulfills the requirements and intent of Section 9.06: Planned Development, and the subdivision control regulation in the Unified Development Ordinance.

There are three steps for a Planned Development approval. These steps include:

1. Conceptual Plan approval – the applicant shall submit a Conceptual Plan review application and supporting documentation. These application materials are then reviewed by the Technical Review Committee. Any revisions to the application materials shall either be addressed during the review meeting or through revised application materials submitted prior to the Plan Commission hearing. The Plan Commission will, in a public hearing, review the application and supporting documentation. The Technical Review Committee meeting was held April 27, 2021. The public hearing with the Plan Commission was held January 27, 2020.
2. Detailed Plan and Rezone approval – the applicant shall submit a Detailed Plan review application. These application materials are then reviewed by the Technical Review Committee. Any revisions to the application materials shall either be addressed during the review meeting or through revised application materials submitted prior to the second Plan Commission hearing. The Plan Commission will, in a public hearing, review the application and supporting documentation. The second Technical Review Committee meeting was held April 27, 2021. The second public hearing for the Plan Commission is scheduled for June 28, 2021. The first reading of the ordinance by City Council was on June 7, 2021, and a second reading by the City Council will be held following a “formal recommendation” by the Plan Commission.
3. Preliminary Plat and Final Plat approval – the applicant shall submit a Preliminary Plat application for review by the Zoning Administrator. The Zoning Administrator shall place the application for Preliminary Plat review on the agenda of the Technical Review Committee. The Technical Review Committee shall make a recommendation to forward the application to the Plan Commission and the Plan Commission shall vote to “approve, continue or deny” the application. After Preliminary Plat approval, the petitioner shall prepare a Final Plat Drawing and the Zoning Administrator shall provide the application to the Technical Review Committee for approval.

In addition, the following elements of the Unified Development Ordinance are required for approval, the Isabelle Farms PUD needs to meet the standards set forth in Article 6: Design Standards. These standards ensure the development:

1. Promotes the proper arrangement of streets and other infrastructure.
2. Secures adequate public spaces.
3. Provides adequate public improvements.

6.08 Block Standards: block length and width are being met. Arbor Homes is providing easements to “break-up” longer blocks.

6.06 Easement Standards: easements for utilities, drainage, and sanitary are being provided.

6.09 Lot Standards: orientation of the homes is towards and abut a public street. Side lot lines are at right angles to the streets.

6.14 Sidewalk and Pedestrian Path Standards: sidewalks are being provided along all public streets to maintain connectivity and connect with other pedestrian ways.

6.20 Street Lighting Standards: new streetlights are being shown on the plans throughout the subdivision.

6.21 Street Tree Standards: street trees are being proposed along all of the streets and existing, mature stand of trees located on the site is being maintained.

Planned Development shall be required to comply with the subdivision control regulations within the Unified development Ordinance. In no instance shall the approval of a Planned Development be interpreted as waiving or modifying any subdivision control regulations requirements or processes. The project will go through the Subdivision and Platting process. This will require a Technical Review Committee meeting followed by another Plan Commission meeting and a subsequent Technical Review Committee meeting. The Planning Staff has determined that the required process and the applicable standards have been satisfied by the proposed Planned Development Detail Plan.

- b. Planning Documents: The Comprehensive Plan and any other applicable, adopted planning studies or reports:

The 2019 Comprehensive Plan Update supports the Isabelle Farms PUD development by:

1. The focused goal of the plan in the Built Environment section to “transform the City’s current Housing Stock and Neighborhoods” (Page – 89). The city needs a good mix of housing types, architectural styles, and price points to make sure they can supply the needs of a broader cross section of residents. Action steps for this focus goal include:
 - Invest in critical infrastructure for build ready sites.
 - Market areas of the city prime for desired residential development. (Page – 150)
1. The focused goal of the plan in the Built Environment section to “guide healthy development patterns using the future land use mapping” (Page – 89). The Future Land Use in the Comprehensive Plan shows this area as being single family residential.

The Planning Staff has determined that the proposed PUD Detail Plan is in conformance with the adopted planning documents of the City of Shelbyville.

- c. Characteristics: The current conditions and the character of current structures and uses in each zoning district:

The proposed project site is a “greenfield site” south of the Fountain Lake and Rolling Ridge neighborhoods. The Rolling Ridge subdivision has three stubbed streets on Crest Drive, Edgemoor Road and Rolling Ridge Road. The intent of stubbing the streets at the end of construction in Rolling Ridge was that development would continue to the south and the neighborhoods would be interconnected. The surrounding uses to the north and east are primarily single-family residential. The of the Planned Development streets have sidewalks and are lined with trees. The lots vary in size from 6,400 square feet to 13,000 square feet. This will allow a variety of home styles, sizes, and price point. However, the Planned Development will have increase architectural character requirements. The proposed project will continue this character.

The Planning Staff has determined that the proposed PUD Detailed Plan is taking into consideration and promoting the existing character of the area.

- d. Desired Use: The most desirable use of which the land in each district is adapted:
- The proposed project is single family residential in what is a primarily residential neighborhood. After much public input and outreach for the drafting of the 2019 update to the Comprehensive Plan, it was determined that this area would be best served as residential that compliments the architectural character that already exists in the surrounding historic neighborhoods.

The Planning Staff has determined that the proposed PUD Detail Plan is furthering the desired use of this area, by adding single family residences to an area of the City in need of housing that is complimentary to the existing urban context and architectural character of the area.

- e. **Property Values:** While developing the standards that make up this Planned Development Detail Plan, maintaining and even improving the property values of the area was a top priority. Most of the homes in the area incorporate architectural details that give them a unique character, which is the main reason they have maintained their property value so well over time. The development standards being proposed in this detail plan have tried to replicate some of the design elements that are present throughout the adjacent residential areas. And based on the UDO 6.08 Intensity Bonus Standards and increased architectural and anti-monotony standards will be required in the Planned Development. For example, requiring 40% masonry on the front façade and anti-monotony standards that do not allow a single dwelling elevation to be repeated unless separated by at least three (3) different elevations.

The Planning Staff has determined that the proposed PUD detail plan is conserving the collective property values throughout the City of Shelbyville.

- f. **Growth Management: Responsible growth and development:**
Do to the fact existing development (including residential) development surrounds the proposed site, all utilities are in place to service the proposed planned unit development. The adjacent roads to the proposed development are also large enough to handle the increase in traffic to the area. The Petitioner has also commissioned a traffic impact study for the next phase of their approval.

The Planning Staff has determined that the proposed PUD Detail Plan is a responsible growth and development strategy that allows the community to continue to grow while minimizing the need for additional infrastructure or utility facilities.

STAFF RECOMMENDATION: Approval

PUD Conceptual Plan: PC 2021-08: Isabelle Farms PUD; Detail Plan

FINDINGS OF FACT BY THE SHELBYVILLE PLAN COMMISSION

Staff Prepared

Motion:

(I) would like to make a motion to make a favorable recommendation on the Isabelle Farms PUD Detail Plan as presented to this body pursuant to the planning staff's report and Findings of Fact.

1. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **does ensure** a development that exceeds the quality that would have resulted from the traditional application of the Unified Development Ordinance.

☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **does not ensure** a development that exceeds the quality that would have resulted from the traditional application of the Unified Development Ordinance.
2. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **is necessary** for the development of the land.

☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **is not necessary for** the development of the land.
3. ☐ The Plan Commission has paid reasonable regard to and finds that the proposed PUD Conceptual Plan **is consistent** with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.

☐ The Plan Commission has paid reasonable regard to, and finds that the proposed PUD Conceptual Plan **is not consistent** with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.

Additional Conditions Imposed by the Shelbyville Plan Commission:

- 1.
- 2.
- 3.

Shelbyville Plan Commission

By: _____
Chairperson

Attest: _____
Secretary



PUD DETAIL PLAN APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

For Office Use Only:

Case #: PC 2021 - 08
Hearing Date: 6-28-21
Fees Paid: \$ 1,740
Final Decision:
Approved _____ Denied _____

1.

Applicant

Name: Arbor Homes
Address: 9225 Harrison Park Court
Indianapolis, IN 46216
Phone Number: 317-842-1875
Fax Number: _____
Email: christianr@yourarborhome.com

Property Owners Information (if different than Applicant)

Name: Gordon Farms, LLC.
Address: 77 Olive Ct. Iowa City, Iowa 52246
Phone Number: _____
Fax Number: _____
Email: _____

2.

Applicant's Attorney/Representative

Name: Paul Munoz and/or Christian Rector
Address: 9225 Harrison Park Ct.
Indianapolis, IN 46216
Phone Number: 317-440-3380
Fax Number: _____
Email: Christianr@yourarborhome.com; paulm@yourarborhome.com

Project Engineer

Name: Joe Heck - Projects Plus Engineering
Address: 1257 Airport Parkway, Suite A
Greenwood, IN 46143
Phone Number: 317-882-5003 Ext. 300
Fax Number: _____
Email: jheck@projectsplus.org

3. Project Information:

General Location of Property (and address is applicable): East of Mausoleum Road on the east side of Michigan Road; Between Michigan Road and State Road 9.
Current Zoning: R-2A
Proposed Zoning: PUD
Proposed Name of Development: Isabelle Farms
Existing Use of Property: Ag - Agricultural/Cash Grain
Proposed Use: Single Family Residential
Proposed No. of Lots/Density: 263 Lots

4. Attachments

- ☐ Affidavit and Consent of Property Owner (if applicable)
☐ Proof of Ownership (copy of deed, recent property card)
☐ Letter of Intent
☐ Proposed Detail Plan

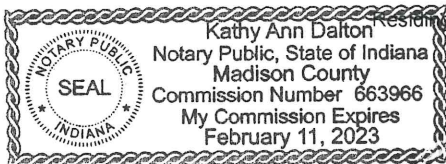
- ☐ Vicinity Map
☐ Additional Materials Described In UDO 9.06
☐ Application Fee

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: *Kathy Ann Dalton* Date: 4/5/21

State of Indiana
County of Marion SS:

Subscribed and sworn to before me this 5th day of April, 2021.
Kathy Ann Dalton / Kathy Ann Dalton
Notary Public Printed



Residing in Madison County.

My Commission Expires: Feb 11, 2023

JUNE 3, 2021



ISABELLE FARMS DEVELOPMENT

PLANNED UNIT DEVELOPMENT



CAITLIN DOPHER
ARBOR HOMES

9225 Harrison Park Court Indianapolis, IN 46216

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Statement of Intent:

Arbor Homes (“Petitioner”) seeks to annex and rezone approximately 83 acres of land surrounded by the City of Shelbyville, Indiana. The property is zoned by Shelby County zoning as R-2A. Arbor is proposing to rezone the property to Planned Development (PD). The proposed development will include a maximum 263 detached single-family dwellings.

The property is located east of Mausoleum Road on the east side of Michigan Road and between Michigan Road and State Road 9. The property is adjacent to Knauf Insulation to the east, Ryobi Die Casting and other industrial uses to the west and Rolling Ridge subdivision to the North. The property is contiguous to a detention pond/pit to the south. The quality infill development of residential will help improve the look and feel of the State Road 9 corridor.

The proposed development is consistent with the goals and objectives of the City of Shelbyville Comprehensive Plan and is identified as single-family residential in the Future Land Use Map. As required by Article 4 of the UDO, reasonable regard must be paid to the Comprehensive Plan. Key objectives include growth, economic development, and providing a high quality of life for existing and future residents. The annexation of this property will allow for infill development that will result in responsible growth for the community by providing additional housing options for existing and future residents. City services will also be extended to this site.

Isabelle Farms exceeds the quality that would have resulted from the traditional application of the UDO. The layout allows for greater greenspace and usable common areas while also applying higher architectural standards to the dwelling units. If not for the Planned Development District, the preservation of woodlands and drainage solutions to address the drastic grade change between the west and east sides of the property would not be able to coexist. Development such as this one will help continue to provide quality housing options within the community. Housing options that will focus on recruiting and attracting new families and workforce.

ORDINANCE NO. 21-2905

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHELBYVILLE, SHELBY COUNTY, INDIANA AMENDING ORDINANCE NO. _____, THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF SHELBYVILLE, INDIANA

WHEREAS, the City Council of the City of Shelbyville, Indiana (the “City Council”), has heretofore adopted Ordinance No. _____ as the City of Shelbyville, Indiana Unified Development Ordinance (the “Unified Development Ordinance”) pursuant to its authority under the laws of the State of Indiana, Indiana Code § 36-7-4 *et seq.*, as amended; and

WHEREAS, the City of Shelbyville, Indiana (the “City”) is subject to the Unified Development Ordinance; and

WHEREAS, the City Advisory Plan Commission (the “Commission”) considered a petition (“The Isabelle Farms PD”), filed with the Commission requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded Docket _____, after a public hearing held on the ____ day of _____, 2021, to the City Council with a favorable recommendation by a vote of ____ in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on the ____ day of _____, 20____; and

WHEREAS, the City Council is subject to the provisions of Indiana Code § 36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action of this request.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shelbyville, Shelby County, Indiana, meeting in regular session, that the Ordinance and Zoning Map are hereby amended as follows:

Section 1. Applicability of Ordinance.

1. The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Development District to be known as the “The Isabelle Farms District” (the “District”).
2. Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its Exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District (as defined herein) or Planned Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
3. Sections (“Section”) cross-references of this Ordinance shall hereafter refer to the Articles as specified and referenced in the Unified Development Ordinance.
4. All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. Definitions. All terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Zoning and/or Unified Development Ordinance.

Section 3. Preliminary Development Plan. The Conceptual Development Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 4: Planned Developments (PD) District. The Real Estate shall be developed in substantial compliance with the Conceptual Development Plan. Changes in use, increase in lots, or an amendment to the objective standards defined by the ordinance are not considered substantial compliance.

Section 4. Land Uses. The land uses, as defined by the City of Shelbyville Unified Development Ordinances, for the Real Estate are described below, all uses not listed below, shall be considered prohibited.

1. Single-Family Dwellings (permitted)
2. Model Home (permitted). A permit shall be required for temporary home sales models and trailers. A temporary home sales trailer shall be permitted in each development until the model home is built, but for a maximum of nine (9) months.
3. Fair Housing Facility (small) (permitted)
4. Fair Housing Facility (large) (special exception)
5. Farmstead (permitted)
6. Water Tower (special exception)
7. Day Care Center (special exception)
8. Nature Preserve/Center (permitted)
9. Public Park (permitted)
10. Solar Energy Production, as an accessory use (permitted)

Section 5. Zoning District Standards. The following Standards for this District shall be applied to the area as depicted in **Exhibit B, Conceptual Development Plan**. The number of individual residential platted Lots shall not exceed 263.

Table 5.1 Lot Standards	Isabelle Farms PUD	R-1 Zoning Comparison
Minimum Lot Area	6,000 square feet	10,000 square feet
Maximum Lot Area	None	None
Minimum Lot Width	52'	80'
Minimum Lot Frontage	40% of lot width	45% of lot width
Maximum Lot Depth	None	None
Minimum Front Yard Setback	25'	20'
Minimum Side Yard Setback	6'	10'
Minimum Rear Yard Setback	15'	20'
Maximum Lot Coverage	50%	45%
Minimum Living Area Single Story Two Story	1,200 square feet 1,600 square feet total; 800 square feet minimum ground floor area	1,400 square feet per dwelling; 800 square feet minimum ground floor area
Maximum Structure Height	35' for primary structure 15' for accessory structure	35' for primary structure 15' for accessory structure
Maximum Primary Structure	1	1
Minimum Open Space	25%	15%

Section 6. Article 5 Development Standards. The standards of Article 5: Development Standards in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

1. Roof. All Dwellings shall have a roof pitch of five vertical units to twelve horizontal units (5:12 pitch) for the main roof planes. All Dwellings shall have a minimum of a twelve (12") inch gable overhang on Dwellings where the side consists of siding at the eave, and a minimum of an eight (8") inch gable overhang on Dwellings where the side consists of brick at the eave.
2. Front Elevation. All Dwellings shall have a minimum of 40% masonry on the front façade, however, historical architectural styles such as craftsman, tudor, and farmhouse may have a minimum of 20% masonry on the front façade.
3. Siding. All siding shall be brick, stone, wood, cement fiber board, vinyl, or stucco. Standing seam metal and concrete masonry units are prohibited.
4. Anti-Monotony. A single Dwelling Elevation shall not be repeated unless it is separated by at least three (3) different front Elevations along either side of the same street frontage. So far as to ensure that significant architectural features shall differentiate Dwellings within the District.
5. Windows. Unless adjacent to masonry, all windows and openings shall have a nominal 1-inch by 4-inch (1"x4") wood or vinyl surround. All ranch homes shall contain a minimum of 1 window on each façade. All two-story homes shall contain a minimum of two (2) windows on the front façade and rear, and one (1) window on the side facades.
6. Sod and Seedings. All Dwellings shall have sod installed for the Front Yard to the corner of the front Elevation. Dwellings built on Corner Lots shall have sod installed on sides having street frontage to the corner of the street side elevation.
7. Landscaping. All Dwellings shall be landscaped with a minimum of one (1) ornamental and one (1) deciduous tree. Location of trees may be anywhere on the lot.
8. Garages. All Dwellings shall have a minimum two-car garage.
9. Driveways. A driveway shall not be permitted to be installed: (b.). Within forty (40') feet of an intersecting street if access is along a local street. (*see illustration in UDO, page 5-19. Reference "A" measurement.*) Unless a shared driveway is established, two (2) or more driveways shall not be permitted: (b.) Within twelve (12') feet of one another if access is along a local street (*see illustration in UDO, page 5-19. Reference "B" measurement.*) Cul-de-sacs and corner lots shall be exempt from this requirement. Driveways shall be setback at least three (3') feet from the side property lines unless a shared driveway is established. Cul-de-sacs and corner lots shall be exempt from this requirement.
10. Fences. Fences shall not exceed six (6) feet in height in any side or rear yard or three (3) feet in height in any front yard. For purposes of this requirement, the front yard shall be defined as all areas located between any adjacent streets and the walls of the primary structure that face them. Chain link fences on corner lots shall be prohibited. Permitted Materials shall include wood, composite wood, wrought iron, decorative metal, and PVC, vinyl, and powder coated chain link shall be permitted for fence materials. Stone and masonry walls, zinc and galvanized chain link fences, and fences incorporating chicken wire or mesh wire shall not be permitted. In no instance shall this be

interpreted as prohibiting the use of invisible fences.

11. Character Exhibits. Elevations, attached hereto as **Exhibit E, Character Exhibits**, are incorporated as a compilation of images designed to capture the intended quality of Structures to be constructed in the District. Although the exhibits do not necessarily represent final design or specify a required architectural style or element, they do hereby establish a benchmark for the quality and appearance of Structures that are required to be constructed and that contribute to the District's intent and vision. It is not the intent to limit the architectural styles shown in Exhibit D, but to encourage diversity in architectural styles of Dwellings within the District.

Section 7. Article 6 Design Standards. The standards of Article 6.: Design Standards in the Unified Development Ordinance shall apply to the development of the Real Estate, except as otherwise modified or enhanced by this Ordinance.

1. Perimeter Landscape Standards.

- a. SR 9 & Michigan Road. The buffer along the SR 9 and Michigan Road frontages shall be thirty (30') feet or greater. Trees and shrubs shall be provided at a combined rate of ten (10) per 100 lineal feet of perimeter planting. Plantings should be fifty percent (50%) evergreen and grouping of the plantings is encouraged to imitate natural vegetation. Existing trees and vegetation, or trees planted to meet other landscaping standards shall count toward minimum perimeter landscaping requirements.

2. Street Geometric Standards.

- a. Intersection Standards. Street intersections shall be designed to promote the maintenance of the sight visibility triangle requirements of the Unified Development Ordinance and shall be consistent with the following additional requirements.
- b. Intersection Off-sets. Proposed new intersections along one (1) side of an existing street shall, whenever practicable, coincide with any existing or proposed intersections on the opposite side of such street. Street jogs with a center line offsets of less than 170 feet shall not be permitted. Where necessary to accommodate turning lanes and other features, longer off-sets may be required by the City Engineer.
- c. Street Geometric Design Standards – Urban Cross – Section Table. Unless otherwise specified in Exhibit B, Conceptual Development Plan, all Streets within the District shall be designed for parking along one side. The Right-Of-Way shall be fifty-two (52') feet with a minimum Street width of thirty-two (32') feet from back of curb to back of curb. There shall be a five (5') feet wide planting strip from back of curb to front edge of sidewalk. The sidewalks shall be four (4') feet in width with a one (1') foot sidewalk Easement at the rear of the sidewalk.

3. Street Trees. One street tree shall be planted for every lot. Trees may be evenly spaced or grouped together. Street trees shall also meet the following requirements:

- a. Tree Size: All street trees shall be a minimum of two and one-half (2 ½) inch caliper as measured six (6) inches from the top of the root ball, at the time of planting.

PASSED ON FIRST READING THIS _____ DAY OF _____, _____ BY A VOTE
OF _____ AYES AND _____ NAYS,

Tom DeBaun, Mayor

ATTEST:

Scott Asher, City Clerk-Treasurer

PASSED ON SECOND READING THIS _____ DAY OF _____, _____ BY A VOTE
OF _____ AYES AND _____ NAYS.

Tom DeBaun, Mayor

ATTEST:

Scott Asher, City Clerk-Treasurer

Presented by me to the Honorable Mayor this _____ day of _____, _____

Scott Asher, City Clerk-Treasurer

APPROVED by me this _____ day of _____, _____

Tom DeBaun, Mayor

EXHIBIT A

LEGAL DESCRIPTION

Instrument Number 2005002272
(Deed of Record)

The following described real estate located in Addison Township, Shelby County, Indiana:

Beginning at the southeast corner of the West Half of the Southwest Quarter of Section 29 in Township 13 North and Range 7 East and running thence North 20 58 chains; thence West to the west line of the East Half of the Southeast Quarter of Section 30 in Township 13 North and Range 7 East; thence south on said west line to the center of the Michigan Road; thence southeast on said road to the south line of said Section 30; thence East 34.78 chains to the place of beginning, containing 80 Acres, more or less.

EXCEPT the following described part and portion thereof: Beginning on the east line of the West Half of the Southwest Quarter of Section 29 in Township 13 North and Range 7 East at a point 10 chains and 10 links 4-3/4 inches north of the southeast corner of said half quarter section; thence West 5 chains; thence North 2 chains and 63 links; thence East 5 chains to the east line of said half quarter section; thence South 2 chains and 63 links to the place of beginning, containing 1.31 Acres, more or less.

EXCEPT THEREFROM: Beginning at a point 467 1/2 feet south of the northeast corner of the Southwest Quarter of the Southwest Quarter of Section 29 in Township 13 North, Range 7 East and running thence West 240 feet; thence South 50 feet; thence East 240 feet and thence North 50 feet to the place of beginning.

ALSO EXCEPT: Beginning at a point 300 feet south of the northeast corner of the Southwest Quarter of the Southwest Quarter of Section 29 in Township 13 North, Range 7 East and running thence West 240 feet; thence South 150 feet; thence East 240 feet; and thence North 150 feet to the place of beginning.

ALSO EXCEPT: Beginning at the northeast corner of the Southwest Quarter of the Southwest Quarter of Section 29 in Township 13 North, Range 7 East and running thence West 240 feet; thence South 150 feet; thence East 240 feet; and thence North 150 feet to the place of beginning.

ALSO EXCEPT: Beginning at a point 150 feet south of the northeast corner of the Southwest Quarter of the Southwest Quarter of Section 29 in Township 13 North, Range 7 East, and running thence West 240 feet; thence South 150 feet; thence East 240 feet and thence North 150 feet to the place of beginning.

ALSO EXCEPT: Beginning at a point on the east line of the Southwest Quarter of the Southwest Quarter of Section 29 in Township 13 North, Range 7 East, which point is 467 1/2 feet south of the northeast corner of said quarter quarter section and running thence West 240 feet for a beginning point; thence South 50 feet to the north line of a 1.31 acre tract now owned by grantees and conveyed to them by Jewett Hord and wife in the year 1945; thence West 90 feet on and along the north line of said 1.31 acre tract to the northwest corner of said real estate now owned by grantees; thence northeast in a straight line 103 feet, more or less, to the place of beginning, and containing 5/100 of an acre more or less.

ALSO EXCEPT: A part of the Southeast Quarter of the Southeast Quarter of Section 30 in Township 13 North, Range 7 East and more particularly described as follows:

Beginning in the center line of U. S. and State Highway Number 421 (sometimes called the Old Michigan Road), at a point 200 feet north of the south line of said section, measured along a line running north from said south section line and parallel to the west line of said quarter quarter section, said beginning point being approximately 1050 feet due west of the east line of said section; running thence East along a line parallel to the south line of said section 461 feet; thence North along a line parallel to the east line of said section 470 feet; thence West along a line parallel to the south line of said Section 651 feet, to the center line of said highway; thence South 22 degrees East along the center line of said Highway 506.9 feet to the place of beginning, containing 6 Acres, more or less; subject to any and all existing highway rights and easements of record.

ALSO EXCEPT: A part of the Southeast Quarter of Section 30, in Township 13 North, Range 7 East, described as follows:

Beginning at the point where the south line of said Southeast Quarter of Section 30 crosses the center line of the Michigan road, formerly known as U.S. Highway Number 421; running thence North 22 degrees 42 minutes West along the center line of said road 216.79 feet; thence North 90 degrees 0 minutes East 461 feet along the south line of a tract heretofore conveyed by grantors to the Trustees of St. Mark's Lutheran Church; thence south 0 degrees 0 minutes 200 feet to the south line of said quarter section; thence North 90 degrees 0 minutes West 377.341 feet to the point of beginning, containing 1.92 Acres, more or less.

ALSO: Beginning at the northwest corner of Section 32 in Township 13 North and Range 7 East, and running thence South to the center of the C.C.C. & St. L. Railroad track; thence southeast on said railroad track to where the same intersects the Shelbyville and Morristown Turnpike Road at the bridge crossing the ravine on the northeast side of the railroad; thence in a general northerly course up the east side of the ground of said turnpike road to the north line of said Section 32 aforesaid; thence West to the place of beginning containing 72 Acres, more or less.

EXCEPT, part of the West Half of the Northwest Quarter and part of the West Half of the Southwest Quarter of Section 32, Township 13 North, Range 7 East of the Second Principal Meridian: Beginning at a point on the west line of said section 12 chains and 40 links south of the northwest corner; thence South on said line 29 chains and 52 links to the middle of the C.C.C. and St. L. R.R. track; thence southeasterly and with the said line, with a curve to the right having a radius of 1750 feet, a distance of 14 chains and 67 links to the right of way of State Highway Number 9; thence North 31 degrees and 10 minutes East with said right of way 1.77 chains; thence North 7 degrees and 54 minutes East 17 chains and 50 links; thence North 10 degrees and 45 minutes East, 22 chains and 85 links to a point 12 chains and 40 links south of the north line of said Section 32 aforesaid; thence West and parallel with said north line 16 chains and 67 links to the place of beginning, containing 47 Acres, more or less.

EXCEPT THEREFROM: Beginning at a point 792 feet east and 308 feet south of the northwest corner of the Northwest Quarter of Section 32, Township 13 North, Range 7 East, and running thence East 489.5 feet to the center of Shute Road Number Nine (9); thence South 10 degrees 7 minutes West, 507.8 feet; thence West 400 feet to an iron pipe; thence North 500 feet to the place of beginning, containing in all 5.10 Acres, more or less. Subject to existing rights of way.

ALSO EXCEPT: Beginning at a point where the north line of the Northwest Quarter of Section 32, Township 13 North, Range 7 East, Second Principal Meridian intersects the center line of pavement of State Road #9, said point being 1333.9 feet east of the northwest corner of said Northwest Quarter Section; thence in a southwesterly direction along the center of said State Road #9, 165.2 feet to the point of beginning of this tract; thence South 10 degrees 15 minutes West 152.4 feet along the center of said State Road #9; thence West 240.6 feet to an iron rod; thence North 150.0 feet; thence East 267.8 feet to the point of beginning, containing 0.88 of an acre, more or less, and subject to the right of way of the public highway.

ALSO EXCEPT THE FOLLOWING: (Tract conveyed to Ruth Roberts)
A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 13 North, Range 7 East, Shelby County, Indiana, described as follows:

Commencing at the northeast corner of the above described Southwest Quarter of the Southwest Quarter of Section 29; thence with the east line of the quarter quarter South 00 degrees 00 minutes 00 seconds East 691.08 feet to the southeast corner of a 1.31 acre tract described at Deed Record 189, Page 193 in the Office of Recorder of Shelby County and the true point of beginning of the tract herein described;

Thence continue with the east line of the quarter quarter South 00 degrees 00 minutes 00 seconds East 184.00 feet; thence parallel with the south line of the above mentioned 1.31 acre tract North 88 degrees 46 minutes 37 seconds West 355.00 feet; thence parallel with the east line of the quarter quarter North 00 degrees 00 minutes 00 seconds East 184.00 feet; thence with the extended south line and south line of said 1.31 acre tract South 88 degrees 46 minutes 37 seconds East 355.00 feet to the point of beginning, containing 1.50 Acres, more or less, and subject to 40 feet of even width off of the entire east line of the tract for the right of way of State Road #9 and also subject to any other existing right of ways, easements or restrictions.

Course data used in this description assumes the east line of the quarter quarter to run South.

ALSO EXCEPT THE FOLLOWING: (Tract conveyed to Robert Adams)
A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 13 North, Range 7 East, Shelby County, Indiana, described as follows:

Commencing at the northeast corner of the quarter quarter, thence with the east line of the quarter quarter South 517.50 feet; thence parallel with the north line of the quarter quarter West 330.00 feet to the westerly corner of an 0.0516 acre tract heretofore described and the true point of beginning of the tract herein described;

thence parallel with the east line of the quarter quarter South 173.58 feet (2.63 chains) to the southwest corner of a 1.31 acre tract described at Deed Record 189 page 193; thence with the extended south line (extended westerly) of said 1.31 acre tract West 25.00 feet; thence parallel with the east line of the quarter quarter North 166.58 feet to a point 7.00 feet south and 25.00 feet west of the point of beginning; thence northeasterly 25 .81 feet more or less to the point of beginning, containing 0.0976 acres, more or less.

EXHIBIT B

CONCEPTUAL DEVELOPMENT PLAN

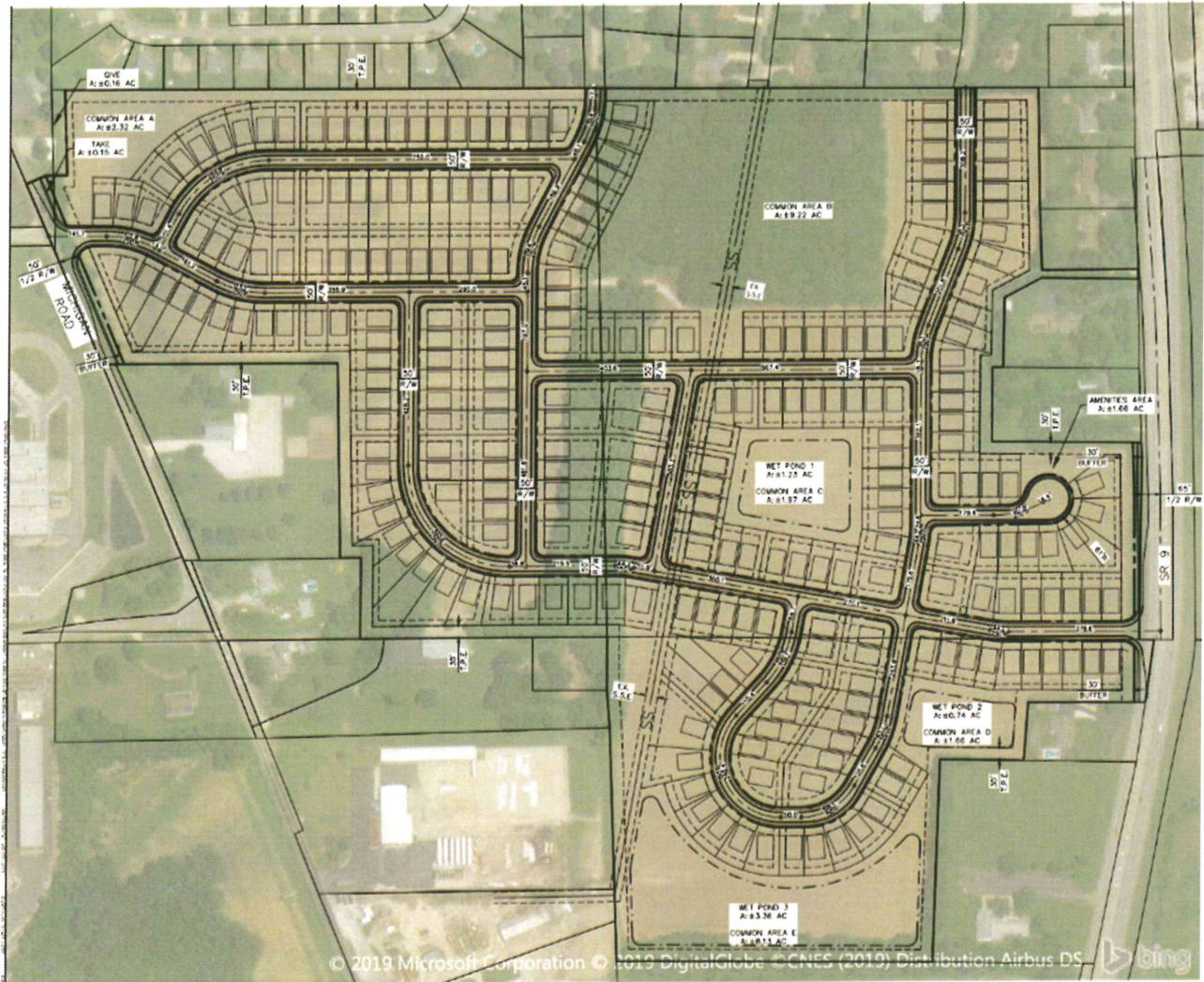
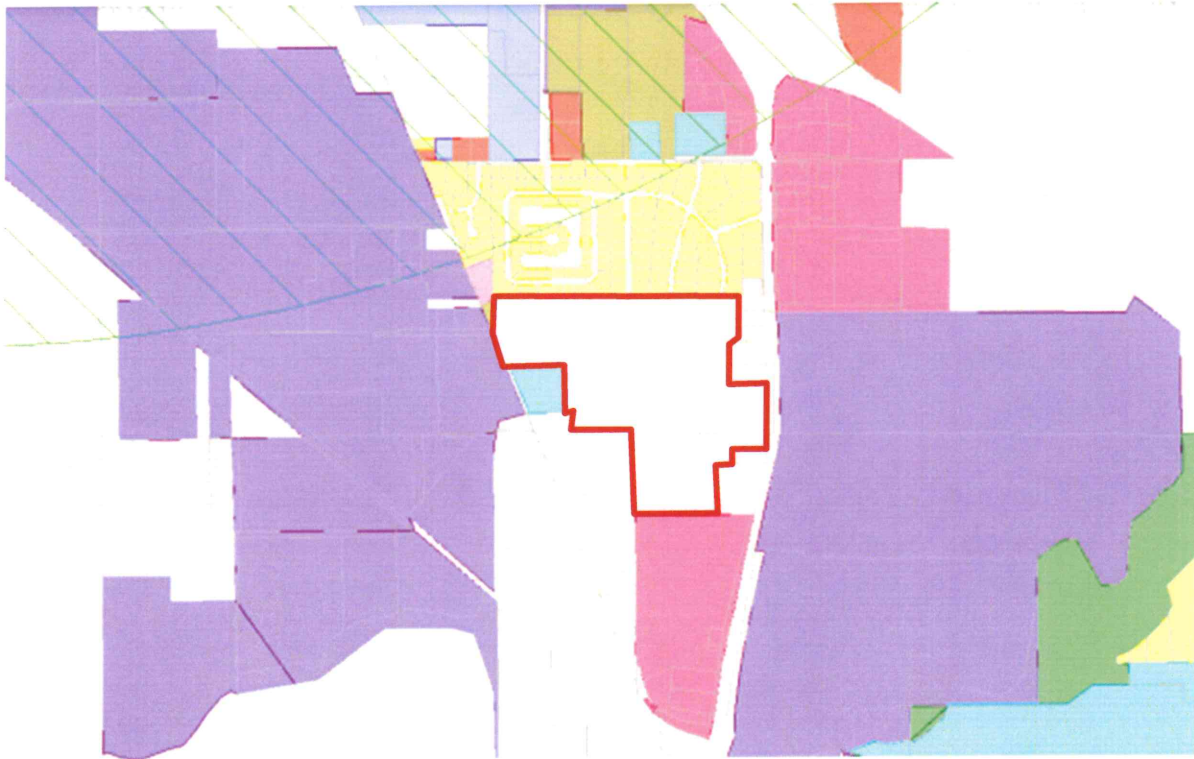


EXHIBIT C

ADJACENT ZONING MAP



Zoning Districts:	
AG	Agriculture
BC	Business Central
BG	Business General
BH	Business Highway
BN	Business Neighborhood
HI	High Impact
IG	General Industrial
IL	Light Industrial
IS	Institutional
MP	Manufactured Home Park
PD	Planned Development
PK	Parks and Open Space
R1	Single Family Residential
R2	Two-Family Residential
RM	Multiple-Family Residential
AR	Airport Compatibility Overlay
RT	Race Track Overlay

EXHIBIT E

CHARACTER
EXHIBITS



ARBOR H O M E S

A BERKSHIRE HATHAWAY COMPANY

BUILDING GREAT NEIGHBORHOODS AND HOMES FOR
PEOPLE TO **CELEBRATE LIFE**

A modern dining room with a light wood table, white tufted chairs, and a kitchen island in the background. The room features a large window on the left, a patterned rug, and a pendant light over the table. The kitchen has white cabinets, a granite countertop, and a stainless steel oven. The text "TRADITIONAL ARBOR" is overlaid in the center.

TRADITIONAL ARBOR



BRADFORD CRAFTSMAN



CHESTNUT TRADITIONAL



COOPER ELEVATION B



COTTONWOOD CRAFTSMAN



EMPRESS ELEVATION B



NORWAY TUDOR



SPRUCE TRADITIONAL

A modern dining room with a light wood table, white tufted chairs, and a kitchen island in the background. The room features large windows on the left, a patterned rug, and recessed ceiling lights. The text "EXTERIOR MATERIALS & COLOR OPTIONS" is overlaid in the center.

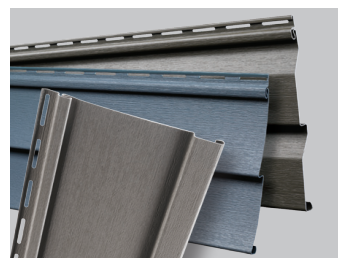
EXTERIOR MATERIALS & COLOR OPTIONS

SENTRY®

Sentry® features:

- Roll-over nail rail
- Thicker .044" panel
- Wind resistance up to 180 mph
- Available in all 36 Mitten colors in all three profiles

- Burnt Orange
- Olive Green
- Eggplant
- Annapolis Blue
- Aviator Green
- Richmond Red
- Coffee Bean
- Amber
- Sahara Brown
- Arizona Tan
- Khaki Brown
- Rockaway Grey
- Grenadier Green
- Muskoka Green
- Rain Forest
- Spring Moss
- Venetian Gold
- Caribou Brown
- Chestnut Brown
- Frost
- Bone
- Ivory
- Prairie Gold
- Cypress
- Stratus
- Flagstone
- Brownstone
- Clay
- Hearthstone
- Sandalwood
- Ash
- Sandcastle
- Saffron
- Life Maple
- Satin Grey
- Sage



Sentry Double 4\"/>

Profile	Double 4\"/>		Double 4.5\"/>		Board & Batten	
Length/Pc	12'6"	3.81 m	12'1"	3.68 m	10'	3.04 m
Width/Pc	8"	20.32 cm	9"	22.86 cm	7"	17.78 cm
Panels/Ctn	24	24	22	22	17	17
Coverage/Ctn	200 sq. ft.	18.58 m ²	200 sq. ft.	18.58 m ²	100 sq. ft.	9.29 m ²
Nom. Thickness	.044"	1.12 mm	.044"	1.12 mm	.045"	1.14 mm Standard
Windload Data	180 mph	290 km/h	180 mph	290 km/h	.050"	1.27 mm Designer/Premium



crossroads series

The warm, red clay found exclusively in Indiana is what puts Brampton Brick Crossroads Series in a class all its own. Produced at one of North America's most technically advanced brick manufacturing facilities, these bricks offer color combinations unique to the area that stand out in any crowd. With rich tones and various textures, Crossroads clay bricks have a more rugged, tumbled appearance. Many of the bricks bear the names of neighbouring counties, honoring both the people and places where the Crossroads Series originates from.



Crossroads Series, Crawford



hoosier series

The colorful culture of the established "Hoosier State" is reflected in this brick series by the unique color blends enhancing the beauty of the deep Indiana Clay. The unique variety of rich colors bring beauty into your neighborhood, and reflects the warmth and strong stature of your home.



Hoosier Series, Warren