

ORDINANCE NUMBER 16-35

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING
THE AURORA PLANNED UNIT DEVELOPMENT DISTRICT BEING THAT OF
ORDINANCE 06-55 and THE UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance" or the "UDO"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.;

WHEREAS, the Westfield-Washington Township Plan Commission ("Commission") considered a petition (**Petition No. 1609-PUD-19**) filed with the Commission requesting a replacement of Ordinance 06-55, enacted by the Town Council on December 11, 2006 (hereinafter the "Aurora PUD").

WHEREAS, the Commission forwarded **Petition No. 1609-PUD-19** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (___ in favor ___ against) 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 _____, 2016;

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

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance is hereby amended and the Aurora PUD is replaced as follows:

Section 1. Upon passage of this Ordinance Number 16-35, the original Aurora PUD, Ordinance 06-55, will be of no further force or effect.

Section 2. The Concept Plan (attached hereto as Exhibit C) hereby allocates the Real Estate into the following Districts:

- Business Parke;
- Commerce Parke;
- The Shoppes;
- The Townes; and

- The Villas.

Section 3. The approximate size of each District is as follows. The size of any District may be increased or decreased by up to 15% so long as there is no increase in the total permitted number of residences.

<u>District</u>	<u>Area</u>
Business Parke	20Acres
Commerce Parke	218 Acres
The Shoppes	17 Acres
The Townes	40 Acres
The Villas	22 Acres
Total acreage	317 Acres

The Individual districts shall not exceed the following individual district maximums, and when combined, the total of residential units on the Real Estate shall no exceed one hundred ninety four (194).

<u>District</u>	<u>Units</u>
The Townes	130 Units
Villas	64 Units

Section 4. The underlying districts for the Planned Unit Development Classification, for each of the individual districts shall be:

Business Parke	GB
Commerce Parke	OI
The Shoppes	LB
The Townes	SF-4 (as to Single-family Dwellings) and MF2 (for attached multifamily)
The Villas	SF-4 (as to Single-family Dwellings) and SFA (for Duplex of Quadraplex Dwellings)

Section 5. The development standards which deviate from the Development Ordinance for this District are enumerated in Exhibit B hereto.

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ALL OF WHICH IS ORDAINED/RESOLVED THIS ____ DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Edwards

James J. Edwards

James J. Edwards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 16-35** was delivered to the Mayor of Westfield

on the _____ day of _____, 2016, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-35**

this _____ day of _____, 2016.

J. Andrew Cook, Mayor

I hereby VETO **ORDINANCE 16-35**

this _____ day of _____, 2016.

J. Andrew Cook, Mayor

This document prepared by: RUSSELL L. BROWN, 26781-49, CLARK, QUINN, MOSES, SCOTT & GRAHN, LLP, 320 N. MERIDIAN STREET, SUITE 1100, INDIANAPOLIS, INDIANA 46204

SCHEDULE OF EXHIBITS

Exhibit A – Legal Description

Exhibit B – Development and Use Standards for District

Exhibit C – Concept Plan

Exhibit D – Pedestrian Network

Exhibit E – Buffer Plan

Exhibit F – Towne Character Exhibit

Exhibit G – Four Family Attached Illustrative Elevations

Exhibit H - Villas Character Exhibit

EXHIBIT A
LEGAL DESCRIPTION

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER'S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER, PART OF THE SOUTHWEST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF IF E SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA;

THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD 83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY , INDIANA, SAID CORNER BEING THE

POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 1101.42 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 50 MINUTES 20 SECONDS WEST 2671.16 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID SOUTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 54 MINUTES 35 SECONDS WEST 825.00 FEET ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19 TO THE SOUTHWEST CORNER OF TRACT "C" AS RECORDED IN DEED BOOK 345, PAGE 360 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA; THE FOLLOWING TWELVE (12 COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1)THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 635.25 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 35 SECONDS EAST 734.25 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 417.56 FEET; 4) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 238.00 FEET; 5) THENCE NORTH 00 DEGREES (10 MINUTES 29 SECONDS EAST 284.87 FEET; 6) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 7) THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 8) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 9) THENCE SOUTH 01 DEGREES 28 MINUTES SECONDS WEST 1336.02 FEET; 10) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 11) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 233.82 FEET; 12) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 154.55 ACRES, MORE OF LESS.

EXCEPT:

PART OF THE NORTHEAST QUARTER AND PART OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST (INDIANA STATE PLANE COORDINATE SYSTEM-EAST ZONE NAD83) A DISTANCE OF 237.40 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE REAL ESTATE DESCRIBED IN DEED BOOK 310, PAGE 449 IN THE OFFICE OF THE RECORDER, HAMILTON COUNTY, INDIANA, SAID CORNER BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00 DEGREES 00 MINUTES 19 SECONDS EAST 254.67 FEET ON THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 2761.71 FEET PARALLEL WITH THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID NORTHEAST QUARTER TO A WEST LINE OF THE REAL ESTATE DESCRIBED IN DEED BOOK 345, PAGE 360, IN SAID RECORDER'S OFFICE; THE FOLLOWING TEN (10) COURSES ARE ON THE PERIMETER OF THE REAL ESTATE DESCRIBED IN SAID DEED BOOK 345, PAGE 360; 1) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 208.21 FEET; 2) THENCE SOUTH 89 DEGREES 54 MINUTES 43 SECONDS EAST 2,8.00 FEET; 3) THENCE NORTH 00 DEGREES 00 MINUTES 29 SECONDS EAST 284.87 FEET; 4) THENCE NORTH 89 DEGREES 51 MINUTES 38 SECONDS WEST 147.25 FEET; 5) THENCE NORTH 00

DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET; 6) THENCE SOUTH 89 DEGREES 53 MINUTES 10 SECONDS EAST 2079.90 FEET; 7) THENCE SOUTH 01 DEGREE 28 MINUTES 38 SECONDS WEST 1336.02 FEET; 8) THENCE SOUTH 89 DEGREES 51 MINUTES 38 SECONDS EAST 129.97 FEET; 9) THENCE SOUTH 00 DEGREES 06 MINUTES 14 SECONDS EAST 2 82 FEET; 10) THENCE SOUTH 89 DEGREES 26 MINUTES 46 SECONDS EAST 495.09 FEET TO THE POINT OF BEGINNING, CONTAINING 90.22 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 9, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED “WEIHE ENGR 0012” AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4, EAST, 2ND P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19, NORTH, RANGE 4 EAST, 2ND P.M., WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (INDIANA STATE PLANE COORDINATES-EAST ZONE NAD 83) A DISTANCE OF 2248.54 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE CENTERLINE OF STATE HIGHWAY 38; THENCE SOUTH 60 DEGREES 52 MINUTES 07 SECONDS EAST 481.49 FEET TO THE EAST LINE OF SAID NORTHEAST QUARTER, THENCE SOUTH 00 DEGREES 02 MINUTES 34 SECONDS EAST 1102.19 FEET ON THE EAST LINE OF SAID NORTHEAST QUARTER TO THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 20 SECONDS WEST 2669.90 FEET ON THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER TO THE SOUTHWEST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER, THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 80.70 ACRES, MORE OR LESS.

EXCEPT

PART OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, SECOND PRINCIPAL MERIDIAN, WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA; THENCE SOUTH 89 DEGREES 54 MINUTES 41 SECONDS EAST (ASSUMED BEARING) 978.90 FEET ON THE NORTH LINE OF SAID NORTHEAST QUARTER; THENCE SOUTH 00 DEGREES 00 MINUTES 08 SECONDS EAST 1335.19 FEET PARALLEL WITH THE WEST LINE OF SAID NORTHEAST QUARTER TO THE SOUTH LINE OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 89 DEGREES 53 MINUTES 10 SECONDS WEST 978.90 FEET ON THE SOUTH LINE TO THE NORTH HALF OF SAID NORTHEAST QUARTER TO A 5/8 INCH DIAMETER REBAR WITH CAP MARKED “WEIHE ENGR 0012” AT THE SOUTHEAST CORNER OF THE NORTH HALF OF SAID NORTHEAST QUARTER; THENCE NORTH 00 DEGREES 00 MINUTES 08 SECONDS WEST 1334.75 FEET ON THE WEST LINE OF SAID NORTHEAST QUARTER TO THE BEGINNING POINT, CONTAINING 30.00 ACRES, MORE OR LESS.

AND ALSO:

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON SOUTH LINE OF SAID SOUTHEAST QUARTER 409.0 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST, THENCE NORTH PARALLEL WITH WEST LINE OF SAID EAST 242.0 FEET TO A POINT R/W OF STATE ROAD #38. THENCE SOUTHEASTERLY R/W OF SAID STATE ROAD WHERE IT INTERSECTS THE SOUTH LINE OF SAID QUARTER SECTION 858.0 FEET EAST OF THE SOUTHWEST CORNER OF SAID EAST HALF. THENCE WEST ON SAID SOUTH LINE 449.0 FEET TO IRON STAKE OR PLACE OF BEGINNING, IN HAMILTON COUNTY, INDIANA, EXCEPT: A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, STATE OF INDIANA, DESCRIBED AS FOLLOWS: BEGIN AT A POINT ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER 409.00 FEET EAST OF THE SOUTHWEST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 19 NORTH, RANGE 4 EAST IN SAID COUNTY AND STATE, THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID EAST HALF 242.6 FEET TO A POINT IN THE RIGHT OF WAY OF STATE ROAD NUMBER 38, THENCE SOUTHEASTERLY IN SAID RIGHT OF WAY 66.0 FEET TO A POINT, THENCE DIVERT TO THE RIGHT OF SOUTHWESTERLY 223.0 FEET TO THE PLACE OF BEGINNING.

AND ALSO:

FORTY-SEVEN AND THREE-FOURTHS (47%) ACRES OFF THE SOUTH SIDE OF THE NORTHWEST QUARTER OF SECTION NINETEEN (19), TOWNSHIP NINETEEN (19) NORTH, RANGE FOUR (4) EAST. ALSO, THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 19, CONTAINING 74.3 ACRES, MORE OR LESS, EXCEPT BEGINNING AT THE SOUTHWEST CORNER OF SAID NORTH HALF OF SAID SOUTHWEST QUARTER AND RUN NORTH 659 FEET, THENCE EAST 148.75 RODS, THENCE SOUTH 38 1/2 RODS, THENCE WEST 148.62 RODS TO THE PLACE OF BEGINNING, CONTAINING 36.74 ACRES,

MORE OR LESS. ALSO, EXCEPT A STRIP OF LAND FIVE AND ONE-HALF (5½) RODS WIDE OFF THE ENTIRE EAST END OF THE ABOVE TWO TRACTS, REMAINING AFTER THE AFORESAID EXCEPTION, CONTAINING 3.2 ACRES, MORE OR LESS. ALSO, EXCEPT A CEMETERY LOT DESCRIBED AS FOLLOWS: BEGINNING 78 RODS EAST OF THE NORTHWEST CORNER OF THE FIRST DESCRIBED TRACT AND RUN SOUTH 9 3/4 RODS; EAST 10 RODS; NORTH 9 3/4 RODS; WEST 10 RODS TO THE PLACE OF BEGINNING, CONTAINING 0.61 ACRES, MORE OR LESS. CONTAINING AFTER SAID EXCEPTIONS EIGHTY-ONE AND ONE-HALF (81 ½) ACRES, MORE OR LESS.

AND ALSO THE FOLLOWING PARCELS (WHICH COLLECTIVELY MAY BE REFERRED TO AS THE “HEITMAN PROPERTY”)

PARCEL I:

A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID QUARTER QUARTER SECTION; HENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ALONG THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL TO THE EAST LINE OF SAID QUARTER QUARTER SECTION 838.78 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST AND PARALLEL TO THE SOUTH LINE OF SAID QUARTER QUARTER SECTION 90.75 FEET TO THE EAST LINE OF SAID QUARTER QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST ALONG THE EAST LINE OF SAID QUARTER SECTION 838.78 FEET TO THE POINT OF BEGINNING.

PARCEL II:

PART OF THE SOUTH HALF OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST (ASSUMED BEARING) ON THE NORTH LINE OF THE SOUTH HALF OF SAID SECTION 19 A DISTANCE OF 90.75 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER 285.00 FEET; THENCE SOUTH 89 DEGREES 52 MINUTES 42 SECONDS EAST PARALLEL WITH THE NORTH LINE OF SAID SOUTH HALF 238.00 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS EAST PARALLEL WITH SAID WEST LINE 285.00 FEET TO THE NORTH LINE OF SAID SOUTH HALF; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON SAID NORTH LINE 147.25 FEET TO THE PLACE OF BEGINNING.

PARCEL III:

PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST (ASSUMED BEARING) ON THE EAST LINE THEREOF 1811.0 FEET TO THE TRUE BEGINNING POINT OF THE REAL

ESTATE HEREIN DESCRIBED; THENCE SOUTH 00 DEGREES 00 MINUTES 31 SECONDS EAST ON THE EAST LINE OF SAID QUARTER 20.02 FEET TO THE NORTHEAST CORNER OF FORTY-SEVEN AND THREE-FOURTHS ACRES OFF THE SOUTH SIDE OF SAID NORTHWEST QUARTER AS DESCRIBED IN AN ADMINISTRATOR'S DEED RECORDED IN DEED RECORD 329, PAGE 919 IN THE OFFICE OF THE HAMILTON COUNTY RECORDER; THENCE NORTH 89 DEGREES 52 MINUTES 42 SECONDS WEST ON THE NORTH LINE OF SAID REAL ESTATE 90.75 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 31 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID QUARTER, 20 FEET, MORE OR LESS, TO THE APPROXIMATE CENTERLINE OF 202ND STREET; THENCE EASTERLY ON SAID SOUTH LINE 90.75 FEET TO THE TRUE BEGINNING POINT.

EXHIBIT B

Development and Use Standards for District

ARTICLE I

DEFINITIONS

The following words and terms, not defined elsewhere in the Aurora PUD or its Exhibits, shall have the following meanings:

1. Architectural Review Committee. The board established by a Declaration of the Developer for the purpose of reviewing the design of all structures to be constructed in a particular Area.
2. Association. A home owners association, property owners association or other organization formed order to govern and maintain the various Districts as established by Declaration.
3. Aurora Parkway. The s-shaped road that runs between The Gardens/The Villas and The Townes, as shown on the Concept Plan (see Exhibit C).
4. Build-To Line. A designated line at which construction of a building facade is to occur.
5. Corner Break. An exterior corner along the facade of a structure.
6. Declaration. A Declaration of Covenants, Conditions and Restrictions for one (1) or more Areas of the Real Estate which shall be recorded in the office of the Recorder of Hamilton County, Indiana, and which may be from time to time amended.
7. Design Vocabulary. A code of architectural style and massing recommendations, building detail guidelines, listing of acceptable materials and colors, and landscape and streetscape details adopted by a Developer and applied by an Architectural Review Committee in considering plans for structures to be constructed in the Real Estate.
8. Developer. The Developer shall be the entities engaged in the development of the Districts within the Real Estate, and the successors or assigns of such entities.
9. District. Any of the Residential Districts, the Commercial District, and/or the Business Districts as identified in the Aurora PUD.
10. District, Residential. The Townes and The Villas.
11. Dormer. Projecting framed structure set vertically on the rafters of a pitched roof, with its own roof (pitched or flat), sides (dormer cheeks), and a window set vertically in front.
12. EIFS (Exterior Insulation and Finish Systems). Multi-layered exterior wall systems, typically consisting of insulation board, a durable, water-resistant base coat, and an attractive and durable finish coat.

13. Exterior Material. The separate architectural siding materials and patterns on a Front Building Facade such as Masonry Materials, horizontal siding, shake siding, vertical siding, and board & batten siding (each of the foregoing are examples of separate Exterior Materials).
14. External Street. Grassy Branch Road, U.S. 31 and State Highway 38.
15. Facade, Primary. The primary architectural facade which contains commercial or retail public entrances, tenant signs or the facade facing a dedicated street.
16. Facade, Secondary. Any building elevation not having commercial or retail public entrances and does not contain tenant signs. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.
17. Gable. That part of the end wall of a building between the eaves and a pitched or gambrel roof.
18. Internal Street. Any Public Street, Private Street, or Shared Drive other than an External Street.
19. Low Slope Roof. A roof surface with a maximum slope of 2 inches rise for 12 inches run.
20. Masonry. Wall building material, such as brick or stone which is laid up in small units or blocks.
21. Meridian Corridor. The right-of-way for United States Highway 31.
22. Natural Materials. Brick, wood, limestone, fiber cement siding, cultured stone, or natural stone.
23. New Frontage Road. The new north/south frontage road that is tentatively planned to run parallel to U.S. 31 North as identified on the Concept Plan.
24. Real Estate. The real estate, as described in Exhibit A to the Ordinance.
25. Same Elevation. The same architectural Front Building Facade.
26. Subdivision Control Ordinance. The Subdivision Control Ordinance of the Town of Westfield and Washington Township in force at the time of the filing of this Aurora PUD.
27. Unified Development Ordinance. The current Unified Development Ordinance of Westfield-Washington Township, effective as of the September 2, 2016. Also referred hereinafter as the “UDO”.
28. Zoning Ordinance. The Town of Westfield and Washington Township Zoning Ordinance.

ARTICLE II

BUSINESS PARKE

The terms, conditions, and provisions of this Article shall apply to the use and development of Business Parke. Section 5.2 (US Highway 31 Overlay Zone) of the Zoning Ordinance shall be inapplicable to the use and development of the Real Estate, as appropriate standards are specified in Article II, Business Parke, and the corresponding Exhibits of this Aurora PUD.

A. Permitted Uses.

1. Offices

2. Hotels

3. Retail and Services

a. May be included in one or more buildings within a Development Plan (DP), subject to the following:

i. May comprise up to 15% of the Gross Floor Area (GFA) of any building; or

ii. Up to thirty percent (30%) of GFA of one building may be retail uses, provided that:

- Total square footage of retail uses designated in the development plan does not exceed fifteen percent (15%) of the GFA of all buildings combined; or,

- Retail uses over fifteen percent (15%) of the GFA of any one building be located on the ground floor or below grade.

4. Accessory buildings and uses customarily incidental to any of the permitted uses. Any attached or detached Accessory building shall have on all sides the same building proportions, architectural features, construction materials, and in general be architecturally compatible with the Principal Building(s) with which it is associated.

5. Uses permitted in the Commerce Parke shall be permitted in the Business Parke so long as all architectural requirements provided in Article II are met and no outdoor storage is visible from the Meridian Corridor.

B. Minimum Lot Size.

1. Lots abutting the Meridian Corridor - 5 acres

2. All other lots 2 acres

C. Development Standards. - The purpose of this Section is to provide site design requirements that align buildings along the edges of a parcel and towards the public right-of-way of the Meridian Corridor. It is the intent of these regulations to orient new buildings with their longest axis parallel

to the adjoining highway or street to create a sense of enclosure along the streets, with parking located to the rear, and, if necessary, to the side of a building.

1. Build-To Lines.
 - a. Lots abutting the Meridian Corridor - 90 feet
 - b. All other lots - None
 - c. All principal buildings on lots with Meridian Corridor frontage shall be located on the Build-To Line.
 - d. Dimensional requirements for the Build-To Line shall be measured from the road right-of-way line.
2. Minimum Front Yard - 60 feet
3. Minimum Side Yard.
 - a. Adjacent to any residential use or zone 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
4. Minimum Aggregate Side Yard.
 - a. Adjacent to any residential use or zone - 90 feet
 - b. Adjacent to any non-residential use or zone - 30 feet
5. Minimum Rear Yard.
 - a. Adjacent to any residential use or zone - 45 feet
 - b. Adjacent to any non-residential use or zone - 15 feet
6. Minimum Building Height.
 - a. Lots abutting the Meridian Corridor - 38 feet and 3 occupiable floors
 - b. All other lots - 14 feet
7. Maximum Building Height.
8. 150 feet, except that the maximum height may not exceed forty percent (40%) of the distance from any residential use or structure.
9. Minimum Lot Width. Shall equal or exceed that amount which is one-half (1/2) the depth of the lot.
10. Minimum Gross Floor Area.
 - a. Buildings on lots abutting the Meridian Corridor - 15,000 square feet per building (exclusive of parking garages, basements or accessory buildings).

- b. Buildings on all other lots 10,000 square feet (exclusive of parking garages, basements or accessory buildings).
- c. Permitted accessory buildings need not meet this minimum floor area requirement. The intent of this minimum gross floor area requirement is to preclude small, freestanding buildings and uses not in character with the Business Parke.

11. Maximum Lot Coverage. - 65%

12. Minimum Lot Frontage on Road. - 50 feet

13. Minimum Lot Width at Building Line. – No Minimum

14. Landscaping. – Section 6.8 of the UDO shall apply, except for Buffer Yards which shall be in compliance with Article XIII hereof.

D. Architectural Standards.

1. Context. All buildings shall be designed with respect to the general character of the Business Parke, and particularly, with due consideration to buildings located on lots that abut the project site.

2. A minimum of three materials shall be used for building exteriors, from the following list: stone, brick, architectural pre-cast (panels or detailing), architectural metal panels, glass, or ornamental metal.

3. Large expanses of glass are allowed, up to seventy percent (70%) of the facade area.

4. The building may not be constructed entirely of a metal and glass curtain wall.

5. Concrete block is not allowed as an exterior finish material.

6. All buildings fronting on the Meridian Corridor shall be designed with a minimum of eight (8) external comers.

7. Sloped roofs shall not exceed one hundred (100) feet without a change in roof plane, or gable or dormer. Sloped roofs shall be either standing seam metal or dimensional shingles.

8. Building penthouses must be incorporated into the building facade design, including Exterior Materials specifications.

E. Outside Storage of Refuse. - Unenclosed storage of refuse (whether or not in containers) or display of merchandise shall not be permitted on any project. All refuse shall be contained completely within the Principal Building or Accessory Building. Any Accessory Building for refuse storage shall be:

1. Designed to include a roof structure; and

2. Architecturally compatible with the Principal structure (including compatible materials)

F. Loading and Unloading Areas.

1. Loading and Unloading Berth or Bay shall not be oriented to U.S. Highway 31.
 2. Loading and Unloading Berths or Bays oriented toward any other public right-of-way, shall be landscaped/screened using masonry wall(s), plant material, or a combination thereof.
- G. Waivers. - The applicant may request a Plan Commission Waiver to the dimensional and quantitative standards of this Article, by not greater than thirty-five percent (35%).

ARTICLE III

COMMERCE PARKE

The terms, conditions, and provisions of this Article shall apply to the use and development of Commerce Parke.

A. Permitted Uses.

1. Permitted Uses.

a. All uses permitted in the Commercial Business and Industrial Businesses sections of the Commerce Parke Permitted Uses (See Article XIV). Any other business that can be classified as either general business or light industrial business in the UDO will be eligible with the approval of the Director.

2. Accessory buildings and uses customarily incidental to any of the permitted uses.

3. Outside Storage.

a. Uses in the Commerce Parke shall be permitted to have outside storage subject to the screening requirements as set forth in this Aurora PUD ordinance.

b. No outside storage shall be permitted within four hundred (400) feet from Grassy Branch Road or within one hundred feet (100') of the right-of-way of the new East Street extension.

B. Development Standards.

<u>General Standards.</u> Minimum Lot Area:	1 acre
Minimum Lot Frontage:	70 feet
Minimum Lot Width At Setback Line:	100 feet
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet

Maximum Building Height:	60 feet This limitation shall not apply to steeples, silos, chimneys, antennas or appurtenances which are located on structures within the district.
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1. Landscaping. Section 6.8 of the UDO shall apply except for Buffer Yards, where Article XIII herein shall apply.

2. Dumpsters. Dumpsters shall not be located in the front of any building. Dumpsters that are not located within an enclosed storage area shall be completely screened by materials: that match the architecture and materials of the building which the dumpster is serving; and (ii) that measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

3. Service/Material Yard and Storage Areas.

a. Must be completely screened as follows:

i. The Masonry Wall ("Masonry Wall") shall extend perpendicular from the building, and then extend a minimum twenty-five feet (25') down each side yard. A masonry wall shall be not less than eight feet (8') in height and not more than the eave of the roof, shall be constructed with architectural block, brick or decorative tilt up concrete, except for entrances, and shall as closely as possible match the architecture of the building.

ii. At the termination of the Masonry Wall, a minimum eight-foot (8') high opaque wood privacy fence shall enclose the balance of the yard/storage area. The style and quality of the wood privacy fence, as determined by the Developer, shall be consistent throughout the Commerce Parke.

iii. Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.

b. Must be finished as follows:

i. An area fifty feet (50') in depth adjacent to the building and high-volume travel lanes in storage areas must be hard surfaced with asphalt or poured concrete pavement.

ii. At a minimum, the balance of the yard/storage area must be finished with stone. If stone is used, such storage areas must have dust control measures implemented by the user during operation.

iii. No curbing shall be required around yard/storage areas.

8. Display Areas. Are permitted in the front yard areas of buildings subject to the following:

- a. Such display areas are not located the required front yard setback.
- b. Such display areas must be landscaped as provided in this Aurora PUD.
- c. Such display areas may not exceed 500 square feet nor display more than three (3) products unless otherwise approved by the Director.

9. Overhead Doors. No overhead doors shall be oriented towards a public right-of-way.

10. Loading Docks. Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, topography, vegetation and/or landscaping.

C. Architectural Standards.

1. Roof Design.

- a. Roofs may be either residential character or Low Slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
- b. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
- c. Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).
- d. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:1.

2. Facade Rule. - All building elevations shall either be considered a primary or secondary facade.

3. Facade Materials.

a. Primary Facade Materials.

- i. Appropriate building finish materials for the primary façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain) architectural block (textured) and EFIS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or architecturally insulated metal panel systems (if used for a maximum of 50% of the façade).
- ii. Inappropriate, prohibited building finish materials on the primary facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.
- iii. Primary facades may have window glazing or glass storefronts.

iv. Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), and wood, glass, painted aluminum, formed polymers and EIFS (Drive).

v. Colors used on building facades must be complementary. Natural, muted colors should serve as the primary facade color, with brighter colors used as limited accents.

vi. Decorative architectural lighting is required at a minimum of one fixture every 40 feet on primary facades.

vii. Overhead Doors are permitted in the primary facade elevations.

b. Secondary Facades Materials.

i. In addition to those materials permitted for the Primary Facade, the secondary facade may include architectural metal wall panels.

ii. Inappropriate, prohibited building finish materials on the Secondary Facades include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

iii. Lighting on secondary facades including wall pack lighting shall be full cut-off fixtures.

iv. Overhead doors are permitted in secondary facade elevations.

ARTICLE IV
THE SHOPPES

The terms, conditions, and provisions of this Article shall apply to the use and development of The Shoppes.

A. Permitted Uses. - All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category shall also be a permitted use in The Shoppes.

B. Development Standards.

1. No single occupancy may exceed 65,000 gross square feet for an anchor tenant and provided the anchor tenant has a minimum of two separate and distinct customer entrances across the front of the building.

2. Bulk and Density Standards.

a. Setbacks.

i. Front - 50 feet

ii. Side - 10 feet

iii. Rear - 20 feet

b. Lot coverage. Lot coverage shall not exceed 75 percent and is inclusive of buildings, parking areas and all other impervious surfaces which results in an open space requirement of 25 percent of the land area.

c. Building height. Buildings are restricted to 35 feet maximum height or a maximum of two stories (pitched roofs are measured at the mid-point).

3. Architectural Standards.

a. All structures shall be constructed with similar design, materials and compatible architecture.

b. All buildings shall screen mechanical equipment including that which is mounted to the roof and/or ground.

c. The exterior of buildings adjacent to, visible from, or oriented towards a residentially zoned or occupied area or a public right-of-way shall consist of a brick, masonry or stone facade or stucco materials with masonry surface and appearance.

d. Facades that have greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least three percent of the length of the facade and extending at least 20 percent of the length

of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.

e. Where large retail structures contain additional, separately owned or leased stores that occupy less than 25,000 square feet of gross floor area and have separate, exterior customer entrances, the street level facade of such stores shall be transparent between the height of three feet and eight feet above the walkway grade for no less than 60 percent of the horizontal length of the building facade of such additional stores.

f. Drive-thru windows shall not be permitted to face State Road 38.

g. All building facades adjacent to, visible from, or oriented towards a residentially zoned or occupied area or a public right-of-way shall include a repeating pattern that includes no less than three (3) of the following elements:

i. Color change;

ii. Texture change;

iii. Material module change;

iv. An expression of architectural or structural bays through a change in plane no less than 12 inches in width, such as an offset, reveal or projecting rib.

4. Roof Architecture.

a. Roofs shall have some combination of the following features:

i. All roof areas shall restrict rooftop equipment such as HVAC units from public view. The average height of such roof area shall not exceed 15 percent of the height of the supporting wall and such parapets shall not at any point exceed 1/3 of the height of the supporting wall. Such roof features shall contain three-dimensional cornice treatment;

ii. Overhanging eaves, extending no less than three feet past the supporting walls;

iii. Three or more roof slope planes.

b. Office uses, separate retail tenants, single story and buildings of less than 50,000 square feet must have pitched roofs to be more residential in character.

c. No more than 50 percent of the roof shall be flat unless the roof has an architectural addition. Flat roofs shall have architectural significance, such as different sections of flat roofs so the roof can be given articulation with different heights. The look of the building shall therefore be softened by the feel of the facade.

5. Materials and colors.

- a. Predominant exterior building materials shall be high quality materials, including, but not limited brick, other stone and tinted/textured concrete masonry units.
- b. Facade colors shall be low reflectance, subtle, neutral or earth tone colors. The use of high-intensity colors, metallic colors, black or fluorescent colors shall be prohibited.
- c. Building trim and accent areas may feature brighter colors, including primary colors, but neon tubing shall not be permitted for building trim or accent areas.
- d. Exterior building materials shall not include smooth-faced concrete block or prefabricated steel panels.

6. Entryways.

- a. Each retail establishment greater than 20,000 square feet shall have clearly defined, highly visible customer entrances featuring no less than three (3) of the following:
 - i. Canopies or porticos;
 - ii. Overhangs;
 - iii. Recesses/projections;
 - iv. Arcades;
 - v. Raised corniced parapets over the door;
 - vi. Peaked roof forms;
 - vii. Arches;
 - viii. Architectural details such as tile work and moldings which are integrated into the building structure and design;
 - ix. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.
- b. All building facades which are visible from adjoining properties and/or public streets shall comply with the requirements above (i.e., i. thru ix.).

C. Pedestrian Circulation.

- 1. Sidewalks shall be a minimum of five feet in width, however, where applicable, they shall be eight feet asphalt in compliance with the Town's path requirements. Sidewalks or paths shall be provided along all sides of the lot that abut a public street.

2. Continuous internal pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all large retail structures on the site. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds and ground cover.

3. Sidewalks, no less than eight feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet from the facade of the building to provide planting facade.

4. Internal pedestrian walkways provided in conformance with part 2 above shall provide weather protection features such as awnings or arcades within 30 feet of customer entrances.

5. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

D. Parking. – Chapter 6.14 of the UDO shall apply.

E. Landscaping. – Section 6.8 of the UDO shall apply, except for Buffer Yard requirements which shall be governed by Article XIII.

F. Sign Standards. – Chapter 6.17 of the UDO shall apply.

G. Lighting. – Chapter 6.9 of the UDO shall apply.

H. Accessory uses.

1. Dumpster and trash compactors shall be enclosed by a masonry enclosure and gated. The enclosure shall be at least two (2') taller than the dumpster or trash compactor. The gate shall be of a material that fully screens the dumpster or trash compactor.

2. Accessory structures including trash dumpster and compactors are not permitted within any front yard or within any side or rear setback requirements.

3. No outdoor sales areas are permitted unless surrounded by a permanent structure consistent with material of the building.

4. Permanent outdoor display areas are permitted provided that they are surrounded by a 2.5-foot tall masonry wall or wrought iron fencing or combination of the two.

ARTICLE V
THE TOWNES

The terms, conditions, and provisions of this Article shall apply to the use and development of The Townes.

A. Permitted Uses.

1. Townhomes.
2. Multi-story condominium.
3. Public Parks.
4. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
5. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
6. Signs as permitted in Chapter 6.17 of the UDO.
7. All utilities both regulated and unregulated.
8. Child care home - in accordance with IC 36-7-4-1108.
9. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
10. Residential common areas and privately owned amenity areas along with accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
11. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director and shall not require an additional DPR.
12. Single-family Dwellings.

B. Minimum lot area for Attached Multi-Family Dwellings. - None

C. Minimum lot frontage on road for Attached Multi-Family Dwellings. - None

D. Minimum setback lines - for Attached Multi-Family Dwellings.

1. Front yard -(corner lots are required two front yard setbacks)

- a. 10 feet alley load
 - b. 18 feet front load
 2. Side yard - minimum 15' between buildings
 3. Rear yard - None
- E. Minimum lot width at building line for Attached Multi-Family Dwellings. - None
- F. Maximum building height for Attached Multi-Family Dwellings. - 45 feet
- G. Minimum ground level square footage (exclusive of porches and terraces) for Attached Multi-Family Dwellings. - 700 square feet (including garage)
- H. Maximum parcel coverage for Attached Multi-Family Dwellings. - None
- I. Minimum Open Space for Attached Multi-Family Dwellings. - 10% of the District
- J. Architectural Standards for Attached Multi-Family Dwellings.
1. Elevations.
 - a. The front elevation of a building shall be the facade containing a front door to the building.
 - b. Fifty percent (50%) of the front facade of each build, excluding openings such as doors and windows, roofs, and any area within a dormer projecting from a roof, shall have masonry as the exterior building material.
 - c. The surface area of all remaining elevations shall have masonry or natural materials as the exterior building material.
 2. A townhome building shall have a minimum of five (5) ridge lines.
 3. Windows.
 - a. A building shall have a minimum of three (3) windows on the front facade of the structure per unit (a building lacking a minimum of three (3) windows per unit on the front facade shall have one additional tree planted in the front yard)
 - b. A building shall have two (2) windows on each of the two side facades.
 - c. Building shall have three (3) windows per unit on the rear facade of the structure.
 - d. A double window will count as two windows.
 - e. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header

and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.

4. Garages shall be attached to the primary structure.
 5. Garage doors shall not be oriented towards 203rd Street or Aurora Parkway.
 6. Carports shall be prohibited.
 7. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
 8. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.
 9. Roof overhangs shall be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
 10. Roof vents shall be located to the rear half of the home/structure when possible. AU vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
 11. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.
- L. Landscaping. - Section 6.8 of the UDO shall apply, except for Buffer Yard requirements which shall be governed by Article XIII.
- M. Minimum lot area for permitted Single-family dwellings – 6,000 square feet.
- N. Minimum lot frontage on road for permitted Single-family dwellings – 40’.
- O. Minimum setback lines for permitted Single-family dwellings
1. Front Yard – 20’
 2. Side Yard – 5’
 3. Rear Yard – 20’
- P. Minimum Lot Width for permitted Single-family dwellings – 50’
- Q. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family dwellings:
1. One story dwelling – 1,400 square feet
 2. Two story dwelling – 1,800 square feet

R. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the for permitted Single-family dwellings in the Townes, and the Townes Character Exhibit, attached hereto as **Exhibit F**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Townes Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.

S. Additional Architectural Standards for permitted Single-family dwellings

1. **Minimum Overhang:** The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.

2. **Garage Composition and Orientation:**

a. All Dwellings shall have a minimum two (2) car attached garage.

b. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.

3. **Building Materials:** In addition the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.

4. **Front Building Façade Requirements:** At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

a. Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.

b. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).

c. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.

5. **Side Building Façade Requirements (Corner Lots only):** Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:

a. A minimum of three (3) windows with an aggregate minimum of forty (40) feet in size.

b. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the

sill, header and jams. The width of the architectural treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material.

6. Section 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-family Dwelling denoted with a Star on **Exhibit E** hereto shall only be constructed as a one story or one and one half story dwelling.

ARTICLE VI

THE VILLAS

The terms, conditions, and provisions of this Article shall apply to the use and development of The Villas.

A. Permitted Uses.

1. Two-unit thru four-unit single family attached dwellings (n/k/a Duplex or Quadraplex Dwellings).
2. Temporary buildings and job site trailers for construction purposes for a period not to exceed such construction.
3. Model homes and sales offices therein and temporary trailers from which lot and home sales activities may be conducted with outside sales persons.
4. Signs as permitted in Chapter 6.17 of the UDO.
5. All utilities both regulated and unregulated.
6. Child care home - in accordance with IC 36-7-4-1 108.
7. Residential facility for mentally ill - in accordance with IC 12-28-4-7.
8. Residential common areas and privately owned amenity areas along accessory uses, structures and improvements located thereon, including without limitation, recreational developments, trails, swimming pools, fitness centers, clubhouses, parks, ball fields, ball courts, practice facilities, playgrounds, gardens and related storage and support facilities, all of which shall be made available to the residents within the Real Estate as specified in any Declaration.
9. Any amenity structures or facility or part thereof and adjacent amenity areas thereto may be rented out under terms and conditions approved by the Developer or Association. Approval for the construction of said amenity improvements shall be approved by the Community Development Department Director.

B. Minimum lot area for Duplex or Quadraplex Dwellings. - None

C. Minimum lot frontage on road for Duplex or Quadraplex Dwellings. - None

D. Minimum setback lines for Duplex or Quadraplex Dwellings.

1. 30 feet from arterials
 2. 20 feet from collectors and local streets
- E. Minimum distance between structures for Duplex or Quadraplex Dwellings.
1. Two-unit single family attached - 15'
 2. four-unit single family attached - 25'
- F. Minimum square footage per dwelling unit, exclusive of porches, terraces, and garages for Duplex or Quadraplex Dwellings.
1. Single story - 1,300 square feet
 2. Two story - 1,600 square feet
- G. Minimum Open Space for Duplex or Quadraplex Dwellings. - 10% of the District
- H. Architectural Standards for Duplex or Quadraplex Dwellings.
1. Elevations.
 - a. Masonry shall be the exterior building material on thirty percent (30%) of the surface of all buildings, excluding openings, such as doors and windows, roofs, and the area within any dormer projecting from a roof.
 - b. Masonry or natural materials shall be the exterior building material on the remaining exterior surfaces of the building, excluding openings, such as doors and windows, roofs, and any facade area within a dormer projecting from a roof.
 2. Windows.
 - a. Each unit shall have a minimum of three (3) windows on each facade.
 - b. A double window will count as two windows.
 - c. All windows shall have either shutters and/or architectural treatment. For windows in brick facade, the treatment shall be of natural or masonry materials and be applied to the sill and header at a minimum. For windows in a non-brick facade, the treatment shall be of natural materials and be applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of 1/2 the vertical reveal dimension of the base siding material.
 3. Garage doors shall not be oriented towards 203rd Street or Aurora Parkway.
 4. A landing, stoop or porch is required on all homes. The minimum size shall be no less than four (4) feet in width and depth.
 5. The minimum roof pitch of the main roof of the residence shall be 6/12. Secondary elements such as porches, bays, walkways, etc., may be covered with a lower roof pitch.

6. Roof overhangs shall, be a minimum of 8". Secondary elements such as porches, bays, walkways, etc., may be covered with fewer inches of overhang.
 7. Roof vents will be positioned to be minimally visible from the street and shall be painted to match the roofing material, black, or for those made of metal, left natural.
 8. Each four-unit single family attached building shall be substantially similar in quality and character to the illustrative elevations found in **Exhibit G**.
 9. The Director has the authority to determine if a specific house plan meets these architectural building requirements and may allow deviations from the above standards so long as the deviations are in conformance with the intent of the established architectural requirements.
- J. Landscaping. - Section 6.8 of the UDO shall apply, except for Buffer Yard requirements which shall be governed by Article XIII.
- K. Minimum lot area for permitted Single-family Dwellings – 7,200 square feet.
- L. Minimum lot frontage on road for permitted Single-family Dwellings – 40’.
- M. Minimum setback lines for permitted Single-family Dwellings
1. Front Yard – 20’
 2. Side Yard – 5’
 3. Rear Yard – 20’
- O. Minimum Lot Width for permitted Single-family Dwellings – 60’
- P. Minimum square footage per dwelling unit, exclusive of porches, terraces and garages for permitted Single-family Dwellings:
1. One story single-family detached dwelling – 1,400 square feet
 2. One and one half store single family detached dwelling – 1,500 square feet
- Q. Streetscape Diversity. Article 6.3(C)(2) of the UDO shall apply to the Villas, and the Villas Character Exhibit, attached hereto as **Exhibit H**, is hereby incorporated as a compilation of images designed to capture the intended architecture of Dwellings to be constructed in the District. It is not the intent to limit the architecture shown in the Villas Character Exhibit, but encourage a diversity in architecture of Dwellings in the District.
- R. Additional Architectural Standards for permitted Single-family Dwellings
1. Minimum Overhang: The roof overhang or eaves shall be a minimum of eleven (11) inches, as measured prior to the installation of Masonry Materials.
 2. Garage Composition and Orientation:
 - a. All Dwellings shall have a minimum two (2) car attached garage.

b. Garage elevations shall include a variety of design elements to vary the appearance of the garage façade. Design elements shall include, but not be limited to, the garage door, the garage door windows and/or hardware, garage door header, roof gable brackets, multiple building materials, gable accent windows and gable decorative louver.

3. Building Materials: In addition to the prohibited materials included under Article 6.3(C)(3) of the UDO, vinyl and aluminum siding shall be prohibited.

4. Front Building Façade Requirements: At a minimum each Dwelling shall utilize the following architectural elements on the Front Building Façade:

- a. Wood, Fiber Cement Siding, or equivalent trim at corners, frieze boards, window and door wraps, and as transitional material between two different Exterior Materials.
- b. Architecturally enhanced/decorative trim or masonry detailing (i.e. arches, cornices, crossheads, ornate moldings, pediments, or shutters).
- c. Roof design featuring a hip roof; dormers (a minimum of two (2) dormers); a reverse gable; a shed roof accent; or two (2) or more roof planes.

5. Side Building Façade Requirements (Corner Lots only): Side Building Façades that face Internal Streets shall contain the following architectural requirements on the Side Building Façade:

- a. A minimum of three (3) windows with an aggregate minimum of forty (40) feet in size.
- b. All windows shall have either shutters and/or architectural treatment. For windows in a masonry façade, the treatment shall be of natural or masonry materials and be applied to the sill and header and a minimum. For windows in a non-masonry façade, the treatment shall be of natural materials and applied to the sill, header and jams. The width of the architectural treatment shall be a minimum of ½ the vertical reveal dimension of the base siding material.

6. Section 6.3(c)(1)(b) of the UDO shall not apply to Single-Family Dwellings. However, any Single-family Dwelling denoted with a Star on **Exhibit E** hereto shall only be constructed as a one story or one and one half story dwelling.

ARTICLE VII

AMENITIES

A. The following Amenities will be distributed throughout the Residential Districts, for use by residents of districts designated by the Developer within the Real Estate:

1. A minimum of two small parks. A park shall be installed with the final section of The Townes and The Villas.
2. A minimum of one swimming pool and swimming pool area and a Bathhouse. This shall be installed no later than the completion of eighty (80%) percent of the lots in the Townes and the Villas.
3. A minimum of one (1) 3,000 square foot playground to be installed no later than the completion of eighty (80%) percent of the lots in the Townes and Villas.
4. Integrated trail system of a minimum 8' asphalt path connecting all districts as shown on the Pedestrian Network Exhibit (**Exhibit D**).

B. The swimming pool and playground amenities shall not be located adjacent to the perimeter buffer yard for the existing home sites on Grassy Branch Road.

ARTICLE VIII

STREETSCAPE STANDARDS

Subject to Section 8.10 and 8.11 of the UDO.

ARTICLE IX

STREET STANDARDS

Subject to Section 8.9 of the UDO.

ARTICLE X

DEVELOPMENT PLAN REVIEW

Subject to Section 10.7 of the UDO.

ARTICLE XI

COMMERCE PARKE PERMITTED USES

Commercial Businesses

All uses provided as a permitted use in the Use Table of Chapter 13 of the UDO in the LB or GB category shall also be a permitted use in Commerce Parke.

Industrial Businesses

All uses listed as a permitted use in the Use Table of Chapter 13 of the UDO in the EI or OI category shall also be a permitted use in Commerce Parke.

ARTICLE XII

OFF-STREET LOADING AND PARKING

Chapter 6.14 of the UDO shall hereafter be applicable within the Aurora PUD.

ARTICLE XIII

LANDSCAPING STANDARDS

Except as follows, landscaping within the District shall be in accordance with Section 6.8 of the UDO.

Buffer Yard Requirements

- A. Section 6.8 N of the UDO shall be replaced by this section.
- B. Plantings in buffer yards should physically separate and visually screen different land uses and/or zoning districts from one another without precluding connectivity between uses. Plants used for screening must reach a minimum height of forty-eight (48) inches within three years of installation, and be at least eighteen (18) inches tall when planted. Plantings in buffer yards shall consist of two (2) or more species of both trees and shrubs.
- C. A twenty foot (20') buffer yard shall be required around the perimeter of each District except as follows:
 1. No buffer yards shall be required:
 - a. internal to the Aurora PUD, except as provided in Subsections B(6) and B(8) below;
 - b. adjacent to proposed greenways and park areas; and
 - c. within easements prohibiting landscaping.
 2. A fifty foot (50') buffer yard shall be required along the existing home sites on Grassy Branch Road (as shown on the Buffer Exhibit, **Exhibit E**). The buffer yard shall be improved as follows:
 - a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard (except the northern section of the buffer yard, where fifty percent (50%) of the existing treeline shall be maintained as a Median of 203rd Street and no additional plantings shall be required). The mound shall be designed in order to protect the root system and drip lines of existing trees on adjacent properties.

- b. The buffer yard shall be landscaped per this Aurora PUD
3. A fifty foot (50') buffer yard shall be required along the existing homestead parcel of the Heitman property (as shown on the Buffer Exhibit, Exhibit F). A thirty foot (30') buffer yard shall be required along the eastern and western borders of the driveway parcel of the Heitman property (as shown on the Buffer Exhibit, Exhibit F). The buffer yards shall be improved as follows:
 - a. The buffer yard shall have a six foot (6') mound that runs the entire length of the buffer yard.
 - b. The buffer yard shall be landscaped per this Aurora PUD.
 - c. If the property described as the Heitman Property in Exhibit A (hereinafter the "Heitman Property") continues to utilize property agriculturally and residentially, and the property adjoining property is purchased and developed the buffer yards included herein shall apply. If the Heitman Property is sold for a Commerce Park use and is no longer utilized as a residential use, the buffer requirements shall no longer apply to the Property.
4. Buffer between The Shoppes and adjoining Residential District (to the west) (as shown on the Buffer Exhibit, **Exhibit E**)
 - a. A thirty foot (30') buffer yard shall be required and shall be improved as follows:
 - b. The buffer yard shall have a six foot (6') shadow box fence
 - c. The buffer yard shall be landscaped per this Aurora PUD.
5. Buffer along the northern, western southern and eastern borders of the Commerce Parke
 - a. A forty foot (40') buffer yard shall be required and shall be improved as follows:
 - b. The buffer yard shall have a six foot (6') mound.
 - c. At least one (1) eight foot (8') evergreen tree shall be planted every thirty linear feet (30').
 - d. Evergreen trees shall be planted on or near the top of the mound.
 - e. Buffer yard planting requirements shall be included with the Development Plan Review of each parcel.
6. Buffer yards that are not additionally road frontage shall be landscaped per this Aurora PUD Subsection C, below, with the exception of areas encompassed by easements prohibiting landscaping, where no landscaping shall be required. Buffer yards

that are additionally road frontage shall be landscaped per this Aurora PUD's Road Frontage landscaping requirements.

- C. Within buffer yards at least one (1) evergreen tree per thirty (30) linear feet and five (5) evergreen shrubs per thirty (30) linear feet shall be planted, unless otherwise specified in this Aurora PUD. Such plantings should be arranged in a manner that creates a visual barrier between uses without precluding connectivity between uses. In order to create a more effective buffer, the Plan Commission may approve evergreen trees to be substituted in lieu of evergreen shrubbery on a 1:3 basis (tree: shrub). Up to 60% of shrubbery may be substituted for trees.
- D. If woodlands are located within buffer yards, preserved trees may be substituted for required plants in buffer yards.
- E. In residential districts, plantings required to be placed in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
- F. In non-residential districts, trees required to be planted in buffer yards shall be credited toward total on-site landscaping requirements set forth in the UDO.
- G. Buffer yards shall not be required between uses within planned developments or within subdivisions.

ARTICLE XIV

SIGN STANDARDS

Chapter 6.17 of the UDO shall hereinafter be applicable to Sign Standards within the Aurora PUD.

ARTICLE XV

OUTDOOR LIGHTING STANDARDS

Chapter 6.9 of the UDO shall hereinafter be applicable to the Outdoor Lighting Standards within the Aurora PUD.

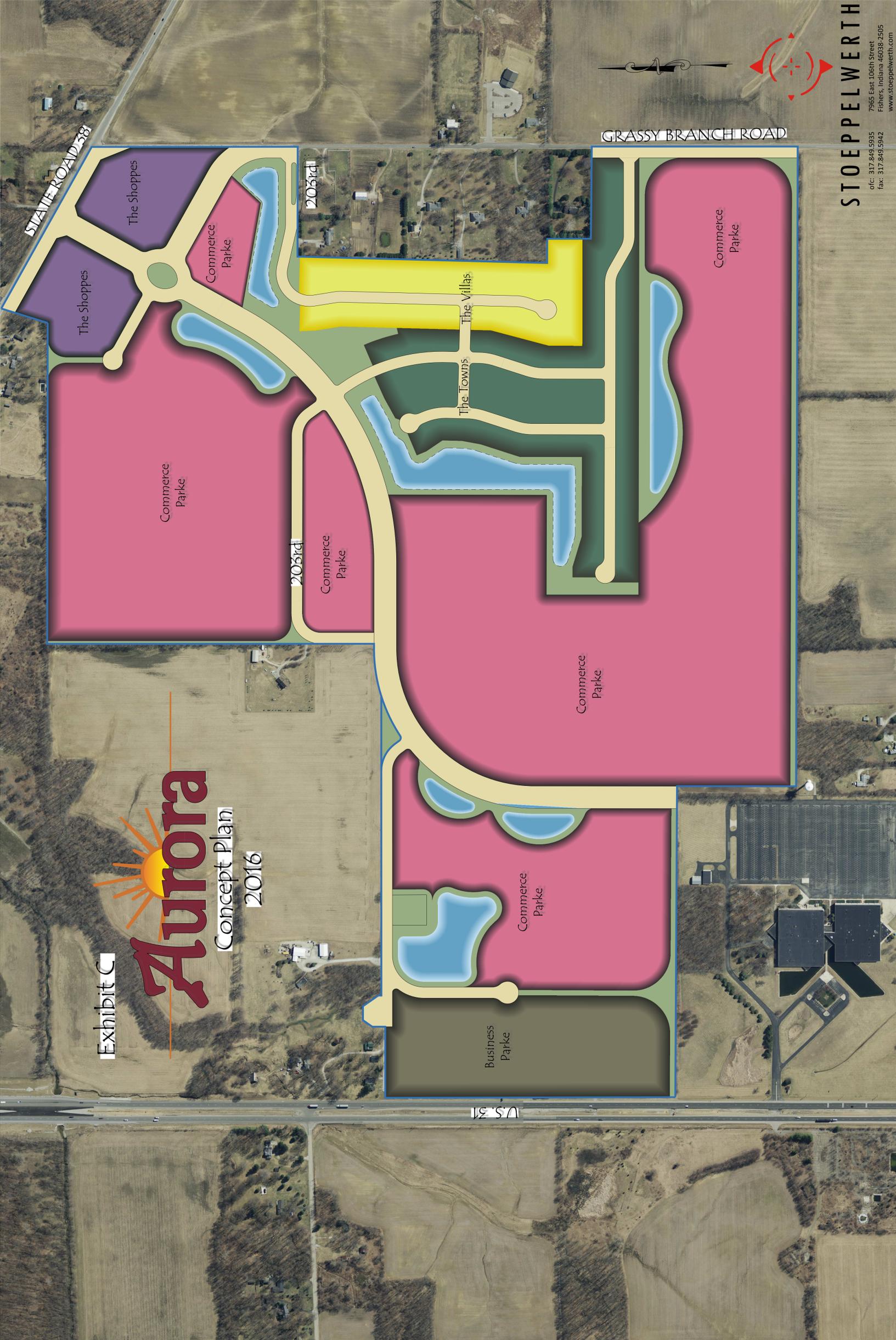
Exhibit C – Concept Plan

Exhibit C

Aurora

Concept Plan

2016



STOEPPELWERTH

ofc: 317.849.5935
7965 East 106th Street
Fishers, Indiana 46038-2505
fax: 317.849.5942
www.stoepfelwerth.com

Exhibit D – Pedestrian Network

Exhibit D
Aurora
Trail Plan
2016

8' Pedestrian Path



Exhibit E – Buffer Plan

Exhibit F
Aurora
 Buffer Plan
 2016



Exhibit F – Towne Character Exhibit

Ⓐ
CALATLANTIC HOMESSM
Stratford



Ⓐ
CALATLANTIC HOMESSM
McKinley




CALATLANTIC HOMESSM
Providence




CALATLANTIC HOMESSM
Jackson




CALATLANTIC HOMESSM

Wilmington



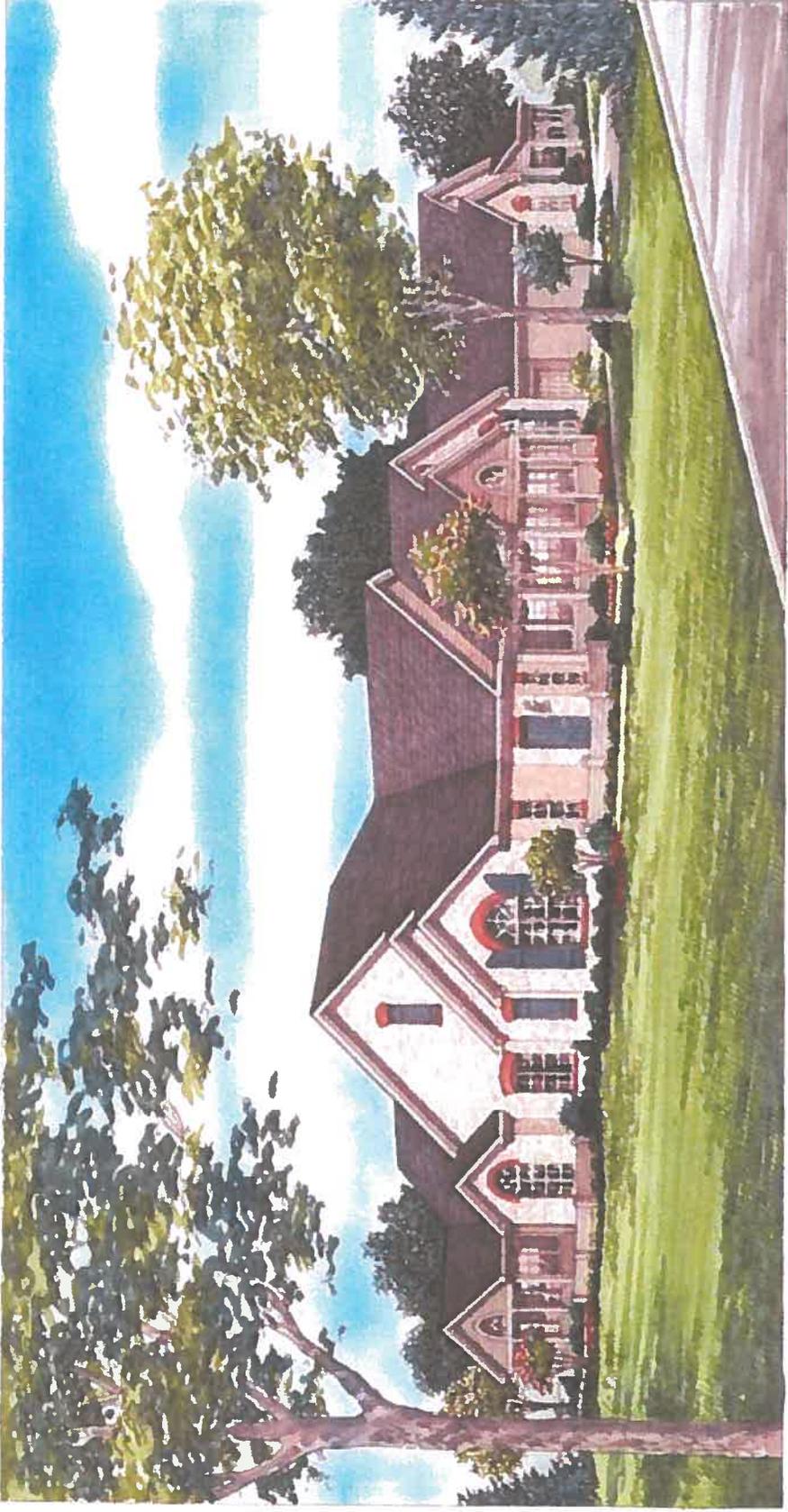

CALATLANTIC HOMESSM

McHenry



Exhibit G – Four Family Attached Illustrative Elevations

Exhibit G



**Four Family Attached
Illustrative Elevations**



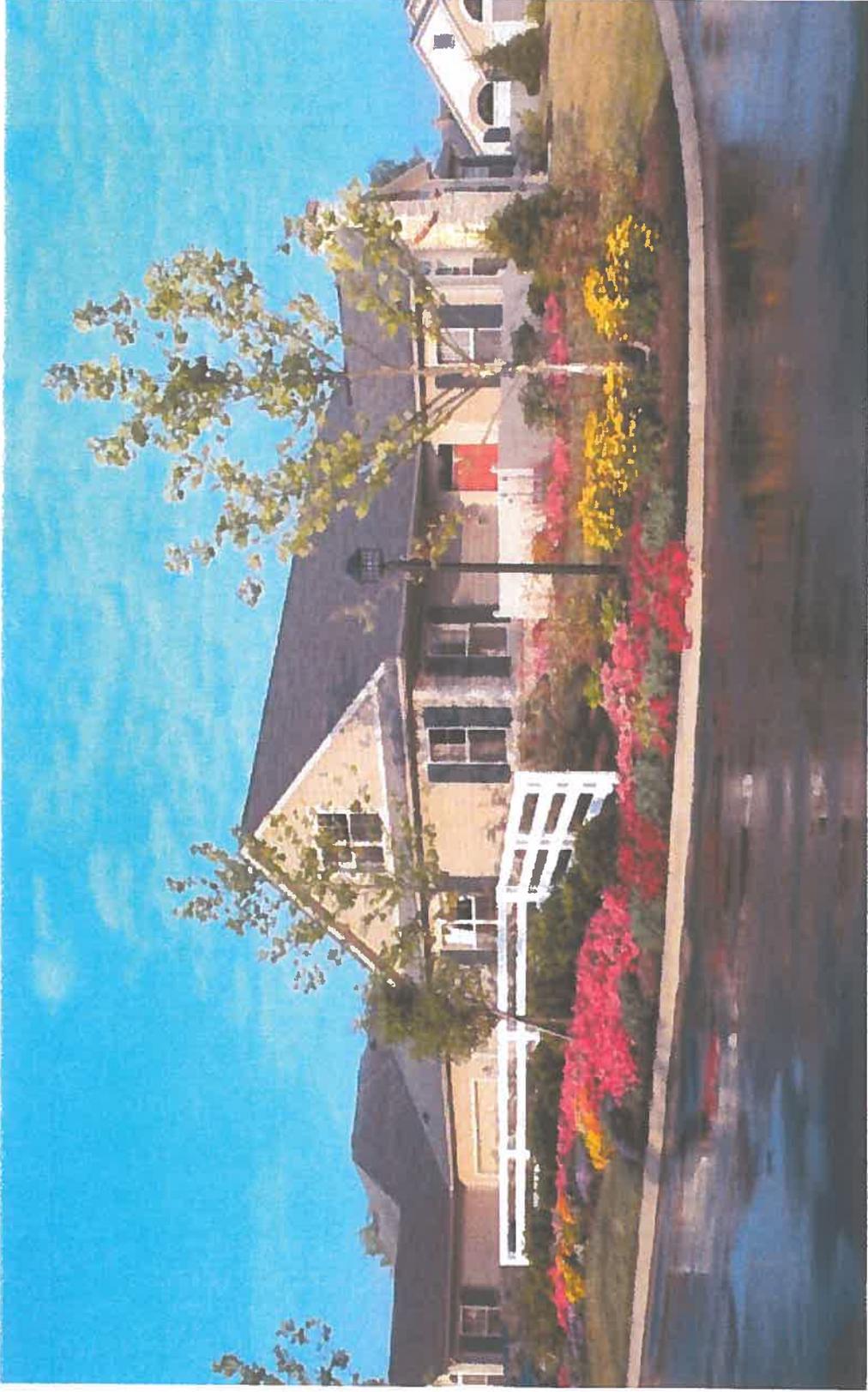
**Four Family Attached
Illustrative Elevations**

Exhibit G



**Four Family Attached
Illustrative Elevations**

Exhibit G



**Four Family Attached
Illustrative Elevations**

Exhibit G



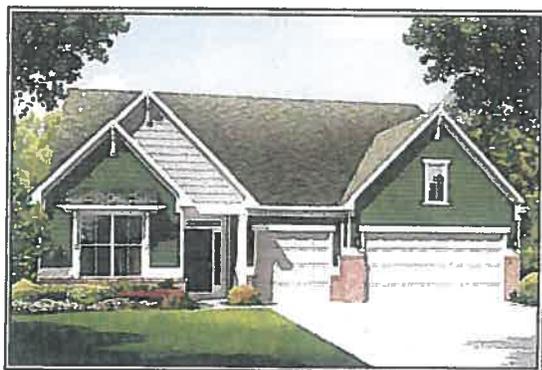
**Four Family Attached
Illustrative Elevations**

Exhibit H - Villas Character Exhibit

Wilmington



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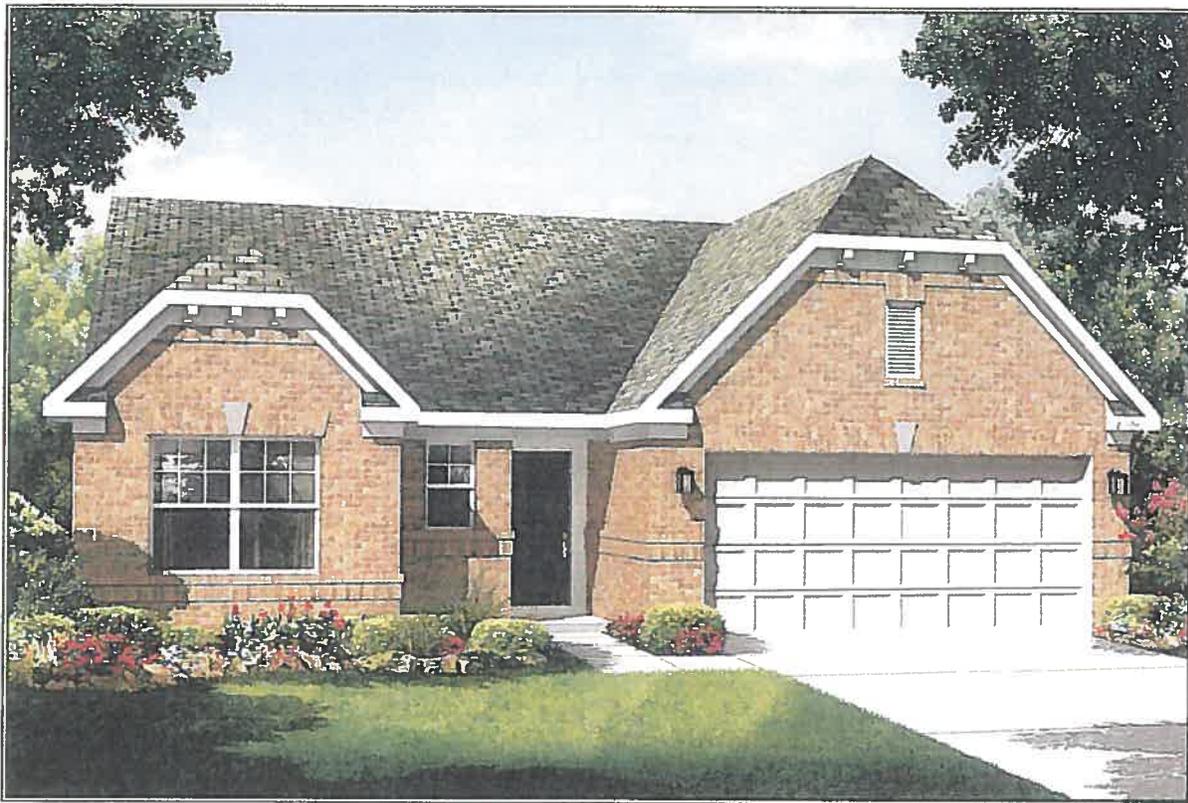
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