



**CERTIFICATION TO
THE TOWN COUNCIL
OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA**

May 21, 2020

To the Town Council of the Town of Zionsville, Indiana:

Be it advised that, pursuant to Indiana Code 36-7-4, on May 18, 2020 the Town of Zionsville Advisory Plan Commission (the "Commission"), by a vote of 7 in favor and 0 opposed, gave a **Favorable Recommendation** to proposal 2020-15-Z to amend the Zoning Map (the "Map") of the Town of Zionsville (Legal Description attached, "Exhibit A"). Proposal 2020-15-Z recommends that 49.874± acres described in the Petition be rezoned from the from (PUD) Urban Planned Unit Development Zoning District to the (PUD) Urban Planned Unit Development Zoning District

The Town of Zionsville Advisory Plan Commission hereby certifies proposal #2020-15-Z to amend the Zoning Map (a copy of which is attached to this Certification and incorporated here by this reference, "Exhibit B") to the Town Council of Zionsville, Indiana, with a **Favorable Recommendation**.

**TOWN OF ZIONSVILLE
ADVISORY PLAN COMMISSION**



David L. Franz, President

Attest: 

**Wayne DeLong, AICP, CPM
Director of Planning and Economic Development
Secretary, Town of Zionsville Advisory Plan Commission**

Creekside Legal Description for 2020 Rezoning:

A part of the South Half of Section 1 and part of the North Half of Section 12, in Township 17 North, Range 2 East, in Boone County, Indiana, being described as follows:

Commencing at the southeast corner of said Southwest Quarter thence South 85 degrees 49 minutes 12 seconds West along the south line thereof (assumed basis of bearings) a distance of 75.00 feet to the northwest corner of the tract of land conveyed to Public Service of Indiana, Inc. in Book 162, Page 61 (hereafter referred to as "PSI tract") in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 03 minutes 59 seconds West along the west line of said PSI tract 75.52 feet to its intersection with the centerline of Old 106th Street (Line 5106-A) per the Location Control Route Survey recorded as Instrument Number 200600001083 in Book 7, Page 32, in said Recorder's Office, being the POINT OF BEGINNING; thence North 00 degrees 03 minutes 59 seconds East along the west line of said PSI tract and the west line of a tract of land described in Deed Book 162, Page 60 in said Recorder's Office a distance of 166.52 feet to the northwest corner of said tract of land described in Deed Book 162, Page 60; thence North 85 degrees 49 minutes 12 seconds East parallel with the south line of said Section 1 and along the north line of said tract of land a distance of 150.00 feet; thence South 00 degrees 03 minutes 59 seconds West parallel with said east line and along the east line of said tract of land a distance of 181.50 feet to the southeast corner of a tract of land described in Deed Book 163, Page 54, being on the centerline of 106th Street; thence South 88 degrees 27 minutes 06 seconds East along said centerline a distance of 212.38 feet to a point which lies 287.10 feet by perpendicular measure east of the west line of the Southeast Quarter of said Section 1; thence North 00 degrees 03 minutes 59 seconds East parallel with said west line a distance of 188.52 feet to the south right-of-way line of relocated 106th Street as described in Instrument #200800002917 in said Recorder's Office, said point being on a non-tangent curve to the right having a radius of 1,255.00 feet, the following seven (7) courses are along said south right-of-way line of said 106th Street; (1) thence northwesterly along said curve a distance of 207.93 feet, said curve being subtended by a chord bearing North 63 degrees 12 minutes 52 seconds West and having a length of 207.69 feet; (2) thence North 67 degrees 16 minutes 51 seconds West a distance of 162.75 feet to a point on a non-tangent curve to the right having a radius of 1,290.00 feet; (3) thence northwesterly along said curve a distance of 53.75 feet, said curve being subtended by a chord bearing North 50 degrees 06 minutes 44 seconds West and having a length of 53.75 feet; (4) thence North 36 degrees 17 minutes 33 seconds West a distance of 212.13 feet; (5) thence North 41 degrees 25 minutes 56 seconds West a distance of 232.93 feet to a point on a non-tangent curve to the left having a radius of 2140.00 feet; (6) thence northwesterly along said curve a distance of 571.06 feet, said curve being subtended by a chord bearing North 49 degrees 04 minutes 32 seconds West and having a length of 569.37 feet; (7) thence North 75 degrees 16 minutes 26 seconds West a distance of 101.13 feet; thence South 67 degrees 15 minutes 46 seconds West a distance of 117.38 feet; thence South 43 degrees 09 minutes 54 seconds West a distance of 401.53 feet; thence South 11 degrees 49 minutes 03 seconds West a distance of 170.64 feet to the northeast right-of-way line of Dahlia Street as described in said Instrument #200800002917, the following seven (7) courses are along the northeast and east right-of-way lines of said Dahlia Street; (1) thence South 42 degrees 18 minutes 24 seconds East a distance of 27.00 feet; (2) thence South 18 degrees 16 minutes 39 seconds East a distance of 148.74 feet; (3) thence South 07 degrees 17 minutes 25 seconds East a distance of 74.13 feet; (4) thence South 02 degrees 52 minutes 35 seconds East a distance of 50.99 feet;

(5) thence South 33 degrees 45 minutes 32 seconds West a distance of 105.20 feet to a point on a non-tangent curve to the right having a radius of 240.00 feet; (6) thence southeasterly along said curve a distance of 23.12 feet, said curve being subtended by a chord bearing South 62 degrees 07 minutes 36 seconds East and having a length of 23.11 feet; (7) thence South 32 degrees 22 minutes 19 seconds West along said right-of-way line and the southerly extension thereof a distance of 25.15 feet to the centerline of said Old 106th Street being on a non-tangent curve to the right having a radius of 200.00 feet, the following eight (8) courses are along said centerline; (1) thence southeasterly along said curve a distance of 34.81 feet, said curve being subtended by chord bearing South 52 degrees 38 minutes 32 seconds East and having a length of 34.77 feet; (2) thence South 47 degrees 39 minutes 22 seconds East a distance of 85.85 feet to a point on a tangent curve to the left having a radius of 450.00 feet; (3) thence southeasterly along said curve a distance of 121.98 feet, said curve being subtended by a chord bearing South 55 degrees 25 minutes 18 seconds East and having a length of 121.61 feet; (4) thence South 63 degrees 11 minutes 14 seconds East a distance of 74.80 feet to a point on a tangent curve to the left having a radius of 550.00 feet; (5) thence southeasterly along said curve a distance of 348.93 feet, said curve being subtended by a chord bearing South 81 degrees 21 minutes 43 seconds East and having a length of 343.10 feet; (6) thence North 80 degrees 27 minutes 49 seconds East a distance of 153.82 feet to a point on a tangent curve to the right having a radius of 900.00 feet; (7) thence easterly along said curve a distance of 174.12 feet, said curve being subtended by a chord bearing North 86 degrees 00 minutes 21 seconds East and having a length of 173.85 feet; (8) thence South 88 degrees 27 minutes 06 seconds East a distance of 292.78 feet to the POINT OF BEGINNING. Containing 24.93 acres, more or less,

AND;

Part of the Northwest, Southwest and Southeast Quarters of Section 1, Township 17 North, Range 2 East, in Boone County, Indiana, being described as follows:

Commencing at the northeast corner of said Southwest Quarter; thence South 00 degrees 03 minutes 59 seconds West (assumed bearing) along the east line thereof a distance of 155.40 feet to the Point of Beginning; thence South 85 degrees 49 minutes 12 seconds West parallel with the south line of said Southwest Quarter a distance of 1506.80 feet; thence North 00 degrees 57 minutes 01 seconds West a distance of 185.71 feet; thence South 74 degrees 43 minutes 55 seconds West a distance of 960.02 feet to a 5/8" rebar with yellow cap stamped "Schneider Firm #0001" on the northeasterly prolongation of the northwesterly line of the tract of land described in Deed Record 247, Page 773 in the Office of the Recorder in Boone County, Indiana; thence South 45 degrees 46 minutes 49 seconds West along said prolongation a distance of 114.37 feet to the northeasterly corner of said tract of land, the following four courses along the westerly right-of-way line of the former T.H.I. & E. Traction Company; (1) thence South 39 degrees 22 minutes 59 seconds East a distance of 314.41 feet; (2) thence South 33 degrees 35 minutes 06 seconds East a distance of 41.85 feet to the northeasterly corner of a tract of land described in Instrument #97-12273 in said Recorder's Office; (3) thence South 31 degrees 36 minutes 35 seconds East a distance of 239.30 feet; (4) thence South 27 degrees 30 minutes 01 seconds East a distance of 134.60 feet to the southeast corner of said tract of land described in Instrument #97-12273; thence South 85 degrees 38 minutes 29 seconds West along the south line of said tract of land a distance of 576.33 feet to the east right-of-way line of Zionsville Road as described in Deed Book 252, Page 62 in said Recorder's Office; thence South 02 degrees 56 minutes 12 seconds West along said line a distance of 13.35 feet to the north right-of-way line of relocated 106th Street as described in Instrument

#200800002917 in said Recorder's Office, the following 16 courses are along said north right-of-way line; (1) thence South 78 degrees 03 minutes 54 seconds East a distance of 45.13 feet; (2) thence North 89 degrees 09 minutes 22 seconds East a distance of 200.00 feet; (3) thence South 87 degrees 58 minutes 53 seconds East a distance of 100.12 feet; (4) thence North 89 degrees 09 minutes 22 seconds East a distance of 269.75 feet to a point on a tangent curve to the right having a radius of 2,260.00 feet; (5) thence southeasterly along said curve a distance of 544.71 feet, said curve being subtended by a chord bearing South 83 degrees 56 minutes 21 seconds East and having a length of 543.40 feet; (6) thence South 78 degrees 30 minutes 54 seconds East a distance of 102.95 feet; (7) thence South 70 degrees 20 minutes 41 seconds East a distance of 102.95 feet to a point on a non-tangent curve to the right having a radius of 2,260.00 feet; (8) thence southeasterly along said curve a distance of 390.37 feet, said curve being subtended by a chord bearing South 66 degrees 52 minutes 38 seconds East and having a length of 389.88 feet; (9) thence South 67 degrees 16 minutes 47 seconds East a distance of 124.57 feet; (10) thence South 63 degrees 00 minutes 44 seconds East a distance of 104.11 feet; (11) thence South 38 degrees 19 minutes 38 seconds East a distance of 86.33 feet to a point on a non-tangent curve to the right having a radius of 2,260.00 feet; (12) thence southeasterly along said curve a distance of 500.35 feet, said curve being subtended by a chord bearing South 47 degrees 46 minutes 25 seconds East and having a length of 499.33 feet; (13) thence South 41 degrees 25 minutes 52 seconds East a distance of 182.93 feet; (14) thence South 49 degrees 44 minutes 14 seconds East a distance of 287.41 feet to a point on a non-tangent curve to the left having a radius of 1,115.00 feet; (15) thence southeasterly along said curve a distance of 162.60 feet, said curve being subtended by a chord bearing South 55 degrees 29 minutes 03 seconds East and having a length of 162.46 feet; (16) thence South 55 degrees 09 minutes 32 seconds East a distance of 112.63 feet to the east line of a tract of land described in Deed Book 169, Page 174 in said Recorder's Office, which lies 287.10 feet by perpendicular measure east of the west line of the Southeast Quarter of said Section 1; thence North 00 degrees 03 minutes 59 seconds East parallel with said line a distance of 456.04 feet; thence North 49 degrees 26 minutes 08 seconds West 560.16 feet; thence South 85 degrees 48 minutes 58 seconds West 219.21 feet; thence North 07 degrees 24 minutes 19 seconds West 548.21 feet; thence northerly 51.50 feet along a curve to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of North 19 degrees 41 minutes 56 seconds West and a length of 51.10 feet to the extension of the south line of Area 10 as described in the Restrictive Covenant recorded as Instrument Number 0415520 in the Office of said Recorder; thence North 88 degrees 06 minutes 53 seconds East 41.64 feet along said extension to the southwest corner of said Area 10, the following eight (8) courses are along the west and north lines thereof; (1) thence North 42 degrees 01 minute 29 seconds West a distance of 84.08 feet; (2) thence North 27 degrees 16 minutes 13 seconds West a distance of 62.75 feet; (3) thence North 16 degrees 57 minutes 57 seconds West a distance of 42.05 feet; (4) thence North 17 degrees 52 minutes 13 seconds West a distance of 40.80 feet; (5) thence North 05 degrees 38 minutes 48 seconds West a distance of 176.78 feet; (6) thence North 02 degrees 57 minutes 37 seconds West a distance of 90.45 feet; (7) thence North 85 degrees 47 minutes 49 seconds East a distance of 248.11 feet; (8) thence North 86 degrees 00 minutes 13 seconds East a distance of 290.15 feet to aforesaid east line; thence North 00 degrees 03 minutes 59 seconds East along said east line a distance of 348.35 feet to the Point of Beginning, containing 57.404 acres, more or less, and,

Part of the Southwest and Southeast Quarter of Section 1, Township 17 North, Range 2 East, in Boone County, Indiana, being described as follows:

Commencing at the southwest corner of said Southeast Quarter, which is at the calculated midpoint between the southwest and southeast corners of said Section 1; thence North 85 degrees 49 minutes 12 seconds East 287.89 feet along the south line of said Southeast Quarter (assumed basis of bearings) to the east line of the parcel conveyed to The Dow Chemical Company described in Deed Book 169, Page 174 on file in the Office of the Recorder of Boone County, Indiana (hereafter referred to as 11 Dow Parcel"); thence North 00 degrees 04 minutes 01 Seconds East 669.45 feet along said east line to a 5/8-inch diameter rebar with cap stamped "Structurepoint" 0094" (hereafter referred to as "set rebar") at the POINT OF BEGINNING; thence North 49 degrees 26 minutes 08 seconds West 560.16 feet to set rebar; thence South 85 degrees 48 minutes 58 seconds West 219.21 feet to a set rebar; thence North 07 degrees 24 minutes 19 seconds West 548.21 feet to a set rebar; thence northerly 51.50 feet along curve to the left having a radius of 120.00 feet and subtended by a long chord having a bearing of North 19 degrees 41 minutes 56 seconds West and a length of 51.10 feet to a set rebar on the extension of the south line of Area 10 as described in the Restrictive Covenant recorded as Instrument Number 0415520 in the Office of said Recorder; thence North 88 degrees 06 minute 53 seconds East 356.58 feet along the south line of said Area 10 and its extension to a set rebar; thence North 89 degrees 43 minutes 24 seconds East 89.66 feet along the south line of said Area 10 to the east line of said Dow Parcel, the following three (3) courses are along the east and north lines of said Dow Parcel; 1) thence South 00 degrees 03 minutes 59 seconds West 323.57 feet; 2) thence North 85 degrees 25 minutes 45 seconds East 255.05 feet; 3) thence South 00 degrees 03 minutes 59 seconds West 651.29 feet to the POINT OF BEGINNING, containing 8.966 acres, more or less, except for;

EXCEPTIONS:

A) A part of the Northwest Quarter of Section 12 and the Southwest Quarter of Section 1, Township 17 North, Range 2 East, in Eagle Township, Boone County, Indiana, more particularly described as follows:

Commencing at the southwest corner of said Section 1; thence North 86 degrees 48 minutes 15 seconds East (assumed bearing) 2,559.95 feet along the south line of said quarter section to the northeastern line of a 50-foot-wide Electric Pole Line Easement (as described in Deed Book 162, Page 57 recorded in the Office of the Recorder of Boone County, Indiana) and the POINT OF BEGINNING (said point being South 86 degrees 48 minutes 15 seconds West 130.15 feet from the southeast corner of said quarter section); thence South 67 degrees 24 minutes 56 seconds East 59.04 feet along said northeasterly line to the western line of a tract of land conveyed to Public Service Company of Indiana, Inc. (as described in Deed Book 162, Page 60 recorded in said Recorders' Office); thence North 01 degree 01 minute 39 seconds East 117.21 feet along said western line to a 5/8" capped rebar set by The Schneider Corporation per a survey for the Dow Chemical Company (recorded as Instrument Number 200200012230 in said Recorders' Office); thence North 09 degrees 55 minutes 06 seconds East 170.12 feet to a point on a non-tangent curve to the right having a radius of 1,290.00 feet, said point being on the southern boundary of 106th Street (as described in Instrument Number 200800002917 recorded in said Recorders' Office) with the next five (5) courses being along said boundary; (1) thence northwesterly along said curve 53.75 feet, said curve being subtended by a chord bearing North 49 degrees 07 minutes 25 seconds West and having a length of 53.75 feet; (2) thence North 35 degrees 18 minutes 13 seconds West 212.13 feet; (3) thence North 40 degrees 26 minutes 32 seconds West 232.93 feet to a point on a non-tangent curve to the left having a radius of 2,140.00 feet; (4) thence northwesterly along said curve 571.06 feet, said curve being

subtended by a chord bearing North 48 degrees 05 minutes 12 seconds West and having a length of 569.36 feet; (5) thence North 74 degrees 17 minutes 06 seconds West 101.13 feet to a northern corner of a 24.93-acre tract of land (as described in Instrument Number 201300006293 recorded in said Recorders' Office) with the next three (3) courses being along the western lines of said 24.93 acre tract; (1) thence South 68 degrees 15 minutes 04 seconds West 117.38 feet; (2) thence South 44 degrees 09 minutes 14 seconds West 401.53 feet; (3) thence South 12 degrees 48 minutes 23 seconds West 170.64 feet to the eastern boundary of Dahlia Street (as described in said Instrument Number 200800002917 recorded in said Recorders' Office) with the next two (2) courses being along said boundary; (1) thence South 41 degrees 18 minutes 56 seconds East 27.00 feet; (2) thence South 17 degrees 17 minutes 19 seconds East 66.66 feet to the northeastern line of said 50-foot-wide Electric Pole Line Easement; thence South 67 degrees 24 minutes 56 seconds East 1,232.92 feet along said northeastern line to the POINT OF BEGINNING and containing 15.891 acres, more or less,

ALSO EXCEPTING

B) Lot 6 in Creekside Corporate Park, as described in Plat Book 24, Pages 49-50 as Instrument Number 201600007168, in the office of the Recorder of Boone County, Indiana, being 2.01 acres,

ALSO EXCEPTING

C) Block A in Creekside Corporate Park, as described in Plat Book 26, Pages 5-8, as Instrument Number 2017012261, in the office of the Recorder of Boone County, Indiana, being 0.5961 acres,

ALSO EXCEPTING

D) Common Area A and Common Area B in Creekside Corporate Park, as described in Plat Book 26, pages 5-8, as Instrument No. 2017012261, in the office of the Recorder of Boone County, Indiana, being 18.526 acres, and

ALSO EXCEPTING

E) Right of Way of Creek Way as established by Instrument Number 2016-05711, in the office of the Recorder of Boone County, Indiana, being 4.411 acres.

TOTAL ACREAGE: 49.874± acres

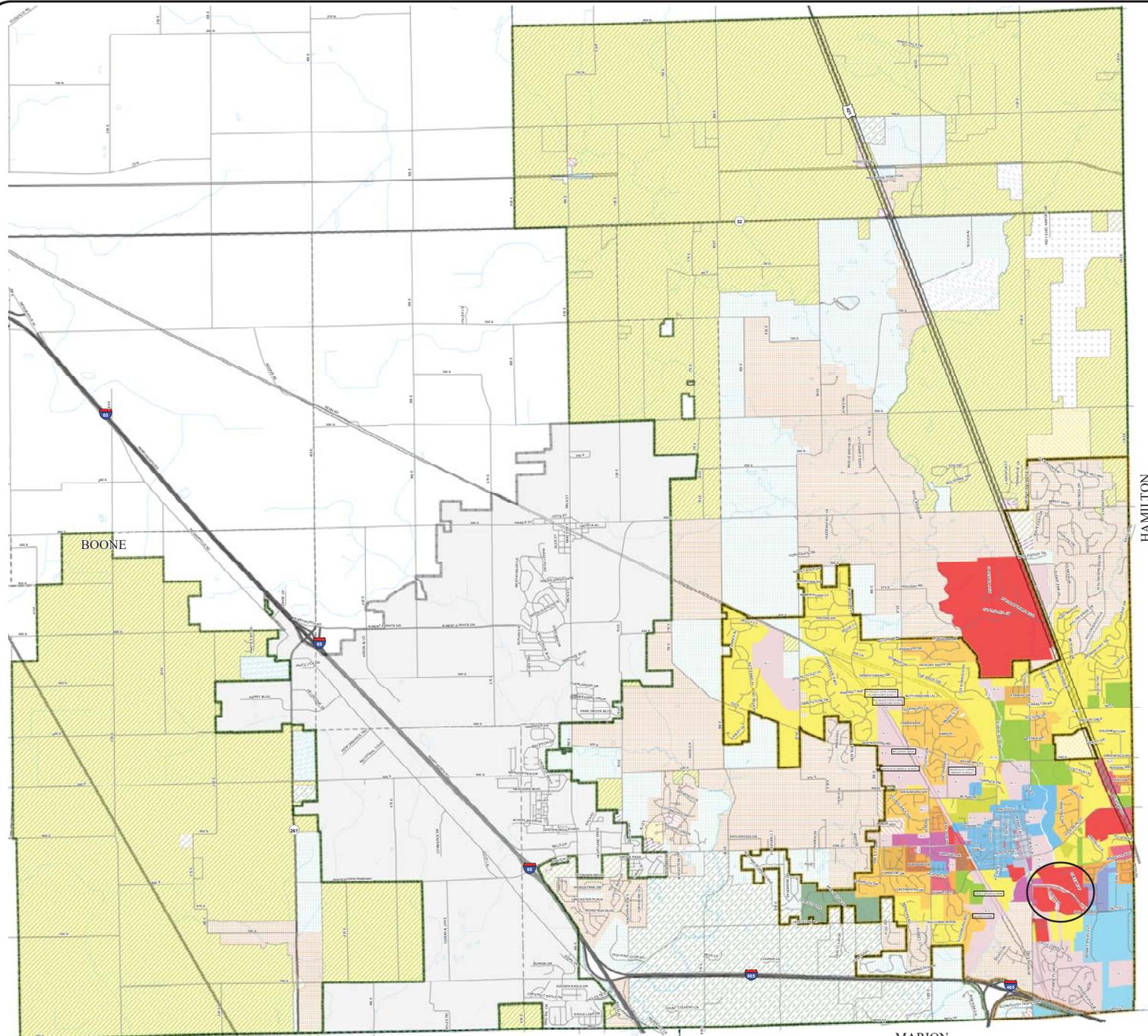
TOWN OF ZIONSVILLE ZONING MAP JANUARY 1, 2015



ZIONSVILLE
FOR ALL THE RIGHT REASONS



LEGEND	
Urban Zoning Districts	Rural Zoning Districts
RE	AG
R-SF-1	RE
R-SF-2	R1
R-SF-3	R2
R-SF-4	R3
R-MF-1	R4
B-0	LB
B-1	LB
B-2	LB
B-3	GB
VBD	I-1
I-ORT	I-2
I-1	AZ
I-2	Zionsville Town Service District
I-3	Zionsville Rural Service District
SPECIAL USE ZONING	Lebanon
OPEN LAND	Michigan Road Overlay
R-V	Whitestown
PUD	Parcels
	County Line
	Township Line
	Water Features
	Highways
	Streets



RECOMMENDED BY THE PLAN COMMISSION AND APPROVED AND ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, AND AS AMENDED BY ZONING ORDINANCES.

- JEFF PAPA, PRESIDENT
- TIM HAAK
- ELIZABETH HOPPER
- STEVE MUNDY
- TOM SCHULER
- SUSANA SUAREZ
- CANDACE JELMER

All real property located within the corporate boundaries of the Town of Zionsville and under the jurisdiction of the Plan Commission as set forth in this Ordinance is hereby divided into Districts as shown on the Official Zoning Map which, together with all explanatory matter, is incorporated by reference and declared to be a part of this Ordinance.

Attest: *[Signature]* Mayor
[Signature] Plan Commission Secretary
 Plan Commission President
 "This is to certify that this is the Official Zoning Map of the Town of Zionsville, County of Boone, State of Indiana."
 01/01/2015
 Date of Adoption



**ORDINANCE NO. 2020- 05
OF THE
TOWN OF ZIONSVILLE, INDIANA**

**AN ORDINANCE TO AMEND THE
TOWN OF ZIONSVILLE
ZONING ORDINANCE
FOR THE
TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

**AND FIXING A TIME WHEN THE SAME SHALL
TAKE EFFECT**

**Plan Commission Petition No.
2020-15-Z**

WHEREAS, I.C. § 36-7-4, et seq., empowers the Town of Zionsville Advisory Plan Commission, Boone County, Indiana, to hold public hearings and make recommendations to the Town Council of the Town of Zionsville, Boone County, Indiana, concerning ordinances for the zoning and districting of all lands within the incorporated areas of the Town of Zionsville, Boone County, Indiana: and;

WHEREAS, in accordance with I.C. 36-7-4-600 et seq., the Town of Zionsville Advisory Plan Commission, Boone County, Indiana conducted a public hearing on May 18, 2020 to consider a proposal to amend the Town of Zionsville Zoning Ordinance for the Town of Zionsville, Boone County, Indiana, (the "Ordinance"); filed as petition 2020-15-Z; and,

WHEREAS, the Town of Zionsville Advisory Plan Commission certified the proposal to amend the Ordinance to the Town Council of the Town of Zionsville, Boone County, Indiana, with a favorable recommendation on May 18, 2020 (Exhibit 1); and,

WHEREAS, the Town Council of the Town of Zionsville, Boone County, Indiana, considered the Proposal to amend the Ordinance at its regular meeting on _____, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ZIONSVILLE, BOONE COUNTY, INDIANA, IN ACCORDANCE WITH I.C. 36 7-4-600 et. seq., AND ALL ACTS AMENDATORY AND SUPPLEMENTAL THERETO, AS FOLLOWS:

1. Official Zone Map Amendment

The Official Zone Map of the Town of Zionsville Zoning Ordinance is hereby amended to rezone the Property located in the Town of Zionsville, illustrated and listed on Exhibit B to the attached Certification, from its (PUD) Urban Planned Unit Development Zoning District to the (PUD) Urban Planned Unit Development Zoning District

Such Property shall be subject to the conditions and restrictions adopted and imposed by the Zionsville Plan Commission, if any.

(a) The Director of Finance and Records and Staff are directed to comply with Section 194.182 of the Zoning Ordinance by taking all actions required thereby to implement this Zone Map Amendment.

2. Construction of Clause Heading: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 2. Savings Clause: If any title, section, subsection, phrase, clause, sentence, or word of this Ordinance shall for any reason be held invalid or unconstitutional by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

Section 3. Construction of Clause Headings: The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

Section 4. Repeal of Conflicting Ordinances: The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

Section 5. Severability: If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Section 6. Duration and Effective Date: The provisions of this Ordinance shall become and remain in full force and effect upon adoption and publication according to Indiana Law and until its repeal by ordinance.

Introduced and filed on the _____ day of _____, 2020. A motion to consider on First Reading was sustained by a vote of _____ in favor and _____ opposed, pursuant to Indiana Code 36-5-2-9.8.

DULY PASSED AND ADOPTED this _____ day of _____ 2020,
by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of _____ in favor and _____ opposed.

**TOWN COUNCIL OF THE TOWN OF ZIONSVILLE,
BOONE COUNTY, INDIANA**

	YEA Signature	NAY Signature
Josh Garrett, President		
Bryan Traylor, Vice-President		
Alexander Choi, Member		
Joe Culp, Member		
Brad Burk, Member		
Craig Melton, Member		
Jason Plunket, Member		

I hereby certify that the foregoing Resolution was delivered to the Town of Zionsville Mayor Emily Styron on the _____ day of _____ 2020, at _____ m.

ATTEST: _____
Amelia Lacy, Director, Department of
Finance and Records

**MAYOR'S
APPROVAL**

Emily Styron, Mayor

DATE

**MAYOR'S
VETO**

Emily Styron, Mayor

DATE

Creekside Corporate Park

Planned Unit Development

Petition for Zone Map Change

DOW PUD, 2011-02 (rezoned)

CREEKSIDE PUD, 2015-02 (rezoned)

CREEKSIDE PUD, 2016-08 (approved)

CREEKSIDE PUD, 2018-08 (approved)

CREEKSIDE PUD, 2020-05 (rezoned)

Owner:

Town of Zionsville for the use and benefit of its
Department of Redevelopment

1100 West Oak Street
Zionsville, IN 46077

1.1 Intent

The intent of Creekside Corporate Park is to:

- A. Develop sensitively, providing a transition from the industrial zoning to the east to the village zoning to the west and north west;
- B. Develop responsibly, preserving the terrain and prime natural amenities that exist on the site;
- C. Enhance the gateway into Zionsville via 106th Street;
- D. Set the benchmark for undeveloped or under-developed land along 106th Street;
- E. Not require each developable lot to have its own open space, but instead preserving the ravines for aesthetic and recreation purposes;
- F. Not require each developable lot to have storm water detention basins, but instead utilizing low impact development techniques to meet storm water regulations;
- G. Allow land uses that will complement the region, add high quality jobs, and encourage higher quantity of jobs per square foot of building space;
- H. Allow complementary support businesses that are subordinate to the primary permitted uses; and
- I. Provide a trail network for recreation and pedestrian transportation purposes, allowing employees an expedited route to South Main and the Village.

1.2 Applicable Land

See Exhibit A for the boundaries of the Creekside Corporate Park PUD. Exhibit A shows a conceptual location for an internal street and internal curb cuts. The exact design, length and alignment of this route is subject to change upon further engineering study.

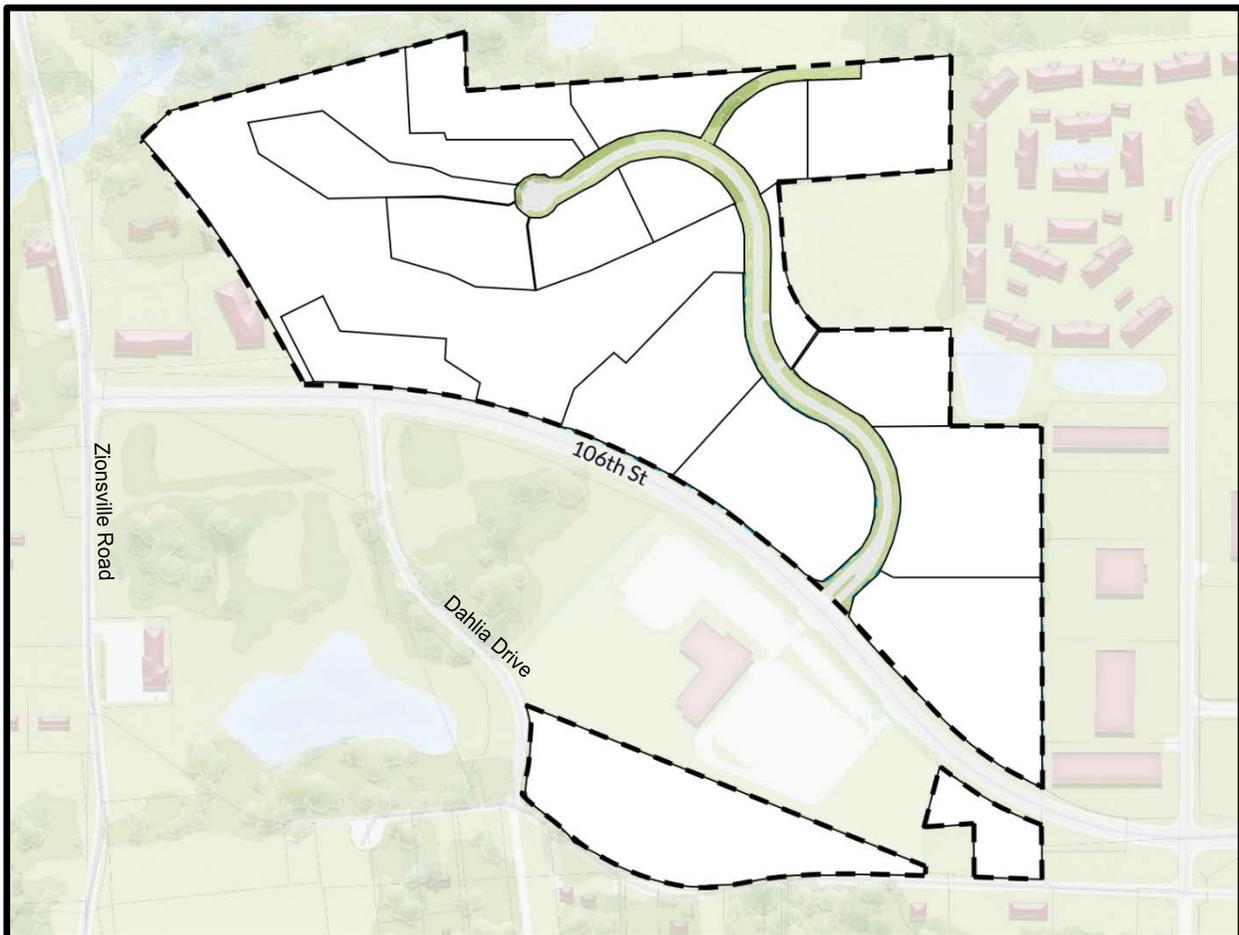


Exhibit A – Creekside Corporate Park PUD Boundary

Creekside Corporate Park PUD

1.3 Subareas of the Creekside Corporate Park PUD

- A. Subarea A: Subarea A represents one of the districts on which the principal uses would be constructed. See Subarea A on Exhibit B.
- B. Subarea B: Subarea B is the smallest district and is isolated from Subarea A by natural areas. Because this subarea fronts a future rail-trail and 106th Street and because of lot size limitations, it is believed to be significantly different than Subarea A. See Subarea B on Exhibit B.
- C. Subarea C: Subarea C is predominantly the ravines and conservation areas being set aside for aesthetic, recreation and storm water confluence purposes. See Subarea C on Exhibit B.
- D. Subarea D: Subarea D is the largest district and represents the land on which the principal uses would be constructed. See Subarea D on Exhibit B.
- E. Delineation: The exact delineation between subareas is subject to change upon further engineering and environmental study. Subarea A may increase by up to 10% and subarea B may increase by up to 30%. Both Subareas A and B may be decreased by as much as 55%

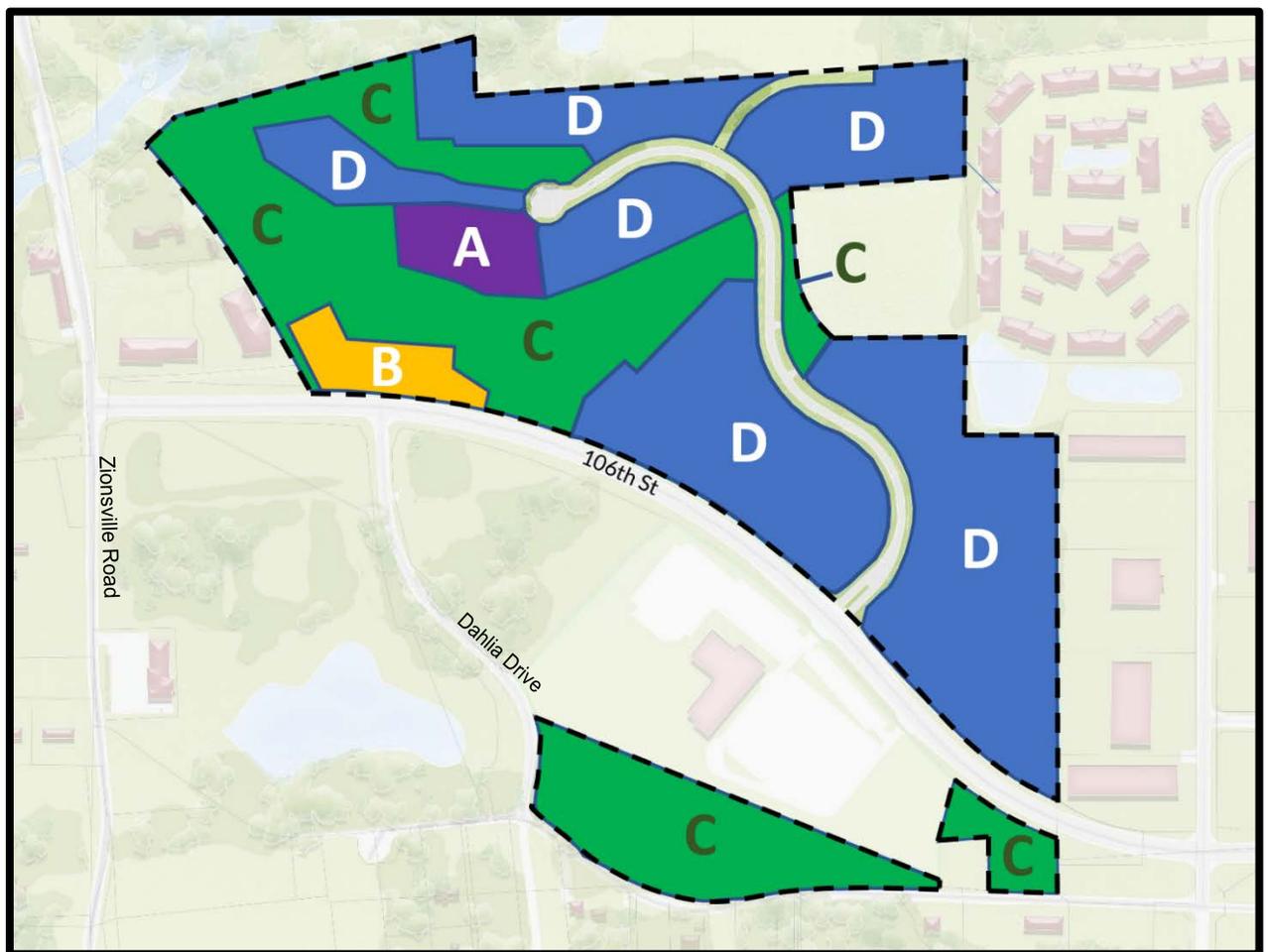


Exhibit B – Subareas of the Creekside Corporate Park PUD

Creekside Corporate Park PUD

1.4 Permitted Uses for Subarea A

A. Permitted Uses for Single-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Design and Planning Services*
7. *Law Firm*
8. *Product Research and Development*
9. *Agricultural Science*
10. *Life Science (inclusive of medical institutions without 24 hour operations)*
11. *Software Development*
12. *Technology Development*
13. *Event Center*

B. Accessory Uses for a Single-Tenant Building:

1. *Warehouse, if 20% or less of the main floor area and having two (2) or less loading bays*
 2. *Assembly, if 30% or less of the main floor area and having two (2) or less loading bays*
 3. *Light Manufacturing, if 30% or less of the main floor area and having two (2) or less loading bays*
- Any combination of the above listed accessory uses shall not exceed 30% of the main floor area.

C. Permitted Uses for a Multiple-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Medical Office (e.g. physician, dentist, testing, orthodontist, optometrist)*
7. *University Satellite Classrooms*
8. *Business School*
9. *Trade School*
10. *Design and Planning Services*
11. *Insurance Agency*
12. *Real Estate Office*
13. *Service Organization Office*
14. *Law Firm*
15. *Product Research and Development*
16. *Agricultural Science*
17. *Life Science*
18. *Software Development*
19. *Technology Development*
20. *Business Incubator*

D. Accessory Uses for a Multiple-Tenant Building: Under no circumstances shall all accessory uses in a multiple-tenant building exceed twenty-five percent (25%) of the gross floor area.

1. *Restaurant or Cafe, with or without outdoor dining*
2. *Coffee Shop, with or without outdoor dining*
3. *Child Care Center*
4. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
5. *Dry Cleaning Pick-up and Delivery*

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6. *Office Supplies Store*
7. *Health Spa*
8. *Fitness Center*

1.5 Permitted Uses for Subarea B

A. Permitted Uses for a Single-Tenant or Multiple-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Restaurant or Cafe*
4. *Bakery*
5. *Coffee Shop*
6. *Ice Cream Shop*
7. *Micro Brewery*
8. *Micro Distillery*
9. *Bike Shop*
10. *Apparel Shop*
11. *Gift Shop*
12. *Wine Shop*
13. *Office Supplies Shop*
14. *Book Shop*
15. *Recreation Center*
16. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
17. *Computer Repair and Service Shop*
18. *Dry Cleaning Pick-up and Delivery*
19. *Child Care Center*
20. *Real Estate Office (upper floors only)*
21. *Insurance Agency (upper floors only)*
22. *Law Firm (upper floors only)*
23. *Design Services (upper floors only)*
24. *Engineering Firm (upper floors only)*
25. *Architecture Firm (upper floors only)*
26. *Financial Services (upper floors only)*
27. *General Office (upper floors only)*
28. *Medical Office (not exceeding 50% of the total floor area of the building)*

B. Accessory Uses for a Single-Tenant or Multiple-Tenant Building:

1. *Outdoor Dining*
2. *Farmers Market*

1.6 Permitted Uses for Subarea C

A. Permitted Uses:

1. *Public Park*
2. *Passive Recreation*
3. *Basketball Court*
4. *Fitness Court*
5. *Pedestrian Trails, Bridges, Tunnels*
6. *Nature Center*
7. *Interpretive Center*
8. *Interpretive Stations*
9. *Fitness Stations*
10. *Stormwater Management*
11. *Stormwater Filtration*
12. *Forest Management*

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1.7 Permitted Uses for Subarea D

A. Permitted Uses for Single-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Design and Planning Services*
7. *Law Firm*
8. *Product Research and Development*
9. *Agricultural Science*
10. *Life Science (inclusive of medical institutions without 24 hour operations)*
11. *Software Development*
12. *Technology Development*
13. *Event Center (not including lots along 106th Street)*
14. *Automotive Racing Team (may exceed maximum main floor area percentages and loading bays outlined under next section "B. Accessory Uses for a single-Tenant Building")*

B. Accessory Uses for a Single-Tenant Building:

1. *Warehouse, if 20% or less of the main floor area and having two (2) or less loading bays*
 2. *Assembly, if 30% or less of the main floor area and having two (2) or less loading bays*
 3. *Light Manufacturing, if 30% or less of the main floor area and having two (2) or less loading bays*
- Any combination of the above listed accessory uses shall not exceed 30% of the main floor area.

C. Permitted Uses for a Multiple-Tenant Building:

1. *Corporate Headquarters*
2. *Regional Headquarters*
3. *Financial Services Office (not retail banking)*
4. *Engineering Firm*
5. *Architecture Firm*
6. *Medical Office (e.g. physician, dentist, testing, orthodontist, optometrist)*
7. *University Satellite Classrooms*
8. *Business School*
9. *Trade School*
10. *Design and Planning Services*
11. *Insurance Agency*
12. *Real Estate Office*
13. *Service Organization Office*
14. *Law Firm*
15. *Product Research and Development*
16. *Agricultural Science*
17. *Life Science*
18. *Software Development*
19. *Technology Development*
20. *Business Incubator*

D. Accessory Uses for a Multiple-Tenant Building: Under no circumstances shall all accessory uses in a multiple-tenant building exceed twenty-five percent (25%) of the gross floor area.

1. *Restaurant or Cafe, with or without outdoor dining*
2. *Coffee Shop, with or without outdoor dining*
3. *Child Care Center*

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4. *Package Shipping Service (e.g. UPS Store, FedEx Store)*
5. *Dry Cleaning Pick-up and Delivery*
6. *Office Supplies Store*
7. *Health Spa*
8. *Fitness Center*

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1.8 Interpretation of Land Uses

- A. Uses Not Listed: Any use not listed shall be considered not-permitted. However, uses that are significantly similar and of no greater intensity or impact may be considered a permitted use or accessory use by the Zoning Administrator. For example: a frozen yogurt shop is not specifically permitted in Section 1.04, but Ice Cream Shop is permitted. Therefore, the Zoning Administrator may interpret a yogurt shop as a permitted use because it is significantly similar and of no greater intensity or impact than an ice cream shop.
- B. Ancillary Uses: Uses that are clearly subordinate, customary, and incidental to a permitted use or accessory use shall also be permitted when it is otherwise in full compliance with the Creekside Corporate Park PUD. A good example is a retail store with a parking lot. The parking lot would be an ancillary use.

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1.9 Development Standards for Subarea A

- A. Review and Approval Authorization: The development standards listed below shall be subject to Zoning Administrator review and approval in perpetuity.
- B. Variances: Any variance to the below listed development standards shall be considered by the Zionsville Board of Zoning Appeals.
- C. Minimum Lot Width: 50 feet; 30 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the Minimum Front Yard Setback.
- D. Minimum Lot Frontage: 50 feet on a Public Street or Private Street; 20 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the right-of-way line.
- E. Minimum Front Yard Setbacks: Measured from the right-of-way.
 - 1. *From Internal Public or Private Streets*: 30 feet for buildings, 15 feet for parking lots.
- F. Maximum Building Setback: Measured from the right-of-way.
 - 1. *From Internal Public or Private Streets*: Not applicable.
- G. Minimum Side and Rear Yard Setback: Measured from the lot lines.
 - 1. *Minimum Side Yard*: 30 feet for buildings, 5 feet for parking lots.
 - 2. *Minimum Rear Yard*: 30 feet for buildings, 10 feet for parking lots and where adjacent to Subarea C.
 - 3. *Minimum Property Boundary Setback*: The minimum building setback from the rear property line, adjacent to single-family residential, shall be forty (40) feet; and the minimum parking lot setback from the rear property line, adjacent to single-family residential, shall be thirty (30) feet.
- H. Maximum Height: 60 feet for all buildings, provided that the minimum required setbacks be increased by one-half (1/2) foot for each one (1) foot of building height above forty-five (45) feet.
- I. Off-Street Parking: See the Zionsville Zoning Ordinance, as amended.
- J. Off-Street Loading: Shall be limited to two (2) truck loading bays for buildings over 20,000 main floor square feet and one (1) bay for buildings between 8,000 and 20,000 main floor square feet. Buildings smaller than 8,000 square feet are not permitted truck loading bays. Any building that is not able to locate truck loading bays in a non-conspicuous facade or otherwise aesthetically shield them from view from a Public Street shall not be permitted truck loading bays.
- K. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street may have one (1) wall sign above a featured main entrance, in the parapet at the top of the building, or in an architecturally designed location on the front façade. Under no circumstance shall more than two (2) wall signs be permitted on one (1) primary structure. Wall signs shall be limited by one of the following:
 - 1. *Large Front Facade (parapet)*: Maximum of 120 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a parapet at the top edge of the building.
 - 2. *Large Front Facade (above entrance)*: Maximum of 80 square feet of sign area for front facades greater than 4,000 square feet when located above a featured main entrance.
 - 3. *Small Front Facade (parapet)*: 3% of the total front facade area shall be the maximum square feet of sign area. This standard applies to front building facades less than 4,000 square feet in area.
 - 4. *Small Front Facade (above entrance)*: 2% of the total front facade area shall be the maximum square feet of sign area for a sign located above a featured main entrance. This standard applies to front building facades less than 4,000 square feet in area.
 - 5. *Façade Visible from West 106th Street (oriented to rear yard)*: shall be permitted to be improved with a rear facing sign not exceeding 12 square feet in size (being illuminated or non-illuminated).
- L. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- M. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea A in the next section for consideration of ground signs.
- N. Screening Requirements: Parcels adjacent to the Williams Glen apartment complex shall be required to install

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screening along the common property line, and within twenty (20) feet of that property line. Landscaping shall consist of native canopy tree species planted at a rate of one tree per forty (40) feet of contiguous boundary. The spacing of those trees should be irregular such to create a natural looking buffer. Therefore, the minimum spacing shall be twenty (20) feet and maximum spacing sixty (60) feet.

- O. Outside Storage and Operations: Not permitted
- P. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
 - 1. *Sidewalk Connection*: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system.
 - 2. *Internal Trail System Connection*: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

1.10 Architecture and Landscape Architecture Requirements for Subarea A:

- A. Review and Approval Authorization: The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment Commission if the Creekside Committee is no longer in effect.
- B. Interpretation and Application of Guidelines: The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. Building Height Guidelines:
 - 1. Any building is preferred to be two (2) stories or more. However, buildings partially or fully within sixty (60) feet of the northern property line and adjacent to single-family residential lots, shall be no greater than two (2) stories.
- D. Building Size Guidelines: A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.

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- E. Building Facade Guidelines: Any new building or building addition shall have the following characteristics and features:
 - 1. Any building shall have high architectural standards, however only the facades and building features clearly visible from Creek Way (the internal street) are required to meet that standard.
 - 2. *Facades that Face Residential Uses*: Any building facade facing Williams Glen Apartments or single-family residential lots to the north shall have a high degree of architectural character as to be a good neighbor to that residential use. This provision shall not apply if the building is greater than 150 feet from the applicable property line.
- F. Building Material Guidelines: In order to create variation and interest in the built environment, all new buildings or building additions shall:
 - 1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
 - 2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
 - a. brick,
 - b. architectural concrete that is colored and textured to closely resemble brick or stone,
 - c. External Insulation and Finish System (E.I.F.S.), or
 - d. stone.
 - 3. The primary exterior material for any facade not visible from 106th Street shall be one of the following:
 - a. brick,
 - b. wood,
 - c. fiber cement,
 - d. architectural concrete that is colored and textured to closely resemble brick or stone,
 - e. External Insulation and Finish System (E.I.F.S.), or
 - f. stone.
- G. Roof Guidelines:
 - 1. *Pitched Roof*: Pitched roofs shall only be permitted on smaller lots toward the rear of the development. Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building. The Creekside Committee may approve additional material that clearly satisfies the intent of this subsection, and that is complementary of the building's architecture.
 - 2. *Shed Roofs*: Shed roofs are generally not permitted
 - 3. *Flat Roofs*: Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Green roofs are permitted. Additionally, any rooftop mechanical equipment shall be reasonably screened.
 - 4. *Roof Design*: In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- H. Entrance Guidelines: The main building or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- I. Window Guidelines: All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of a building shall have windows.
- J. Awning and Canopy Guidelines: Shall be the discretion of the Creekside Committee.

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K. Lighting Guidelines:

1. *Shielding:* Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
2. *Height:* The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
3. *Consistency:* Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
4. *Facade illumination or sign lighting* shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right- of-Way.

L. Loading Dock Guidelines: Loading docks shall not face 106th Street or the internal street, be visible from 106th Street, be visible from Williams Glen Apartments or the single-family residential lots to the north, or otherwise be a visual nuisance from an adjacent building.

M. Landscaping Guidelines: Plants and hardscaping elements shall be chosen and installed to accomplish the following:

1. *General Aesthetic:* To generally enhance the overall character of the site.
2. *Screen Headlights:* To screen the headlights of cars from shining onto adjacent residential properties, and onto 106th Street and the internal street.
3. *Relieve Heat Island Effect:* To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots. At least one landscape island shall be established per sixty (60) parking spaces, and at least one canopy or ornamental tree shall be planted in said island. Landscape islands shall be at least nine (9) feet square.

N. Bufferyard: Lots adjacent to the northern property line adjacent to single-family residential lots shall install plant material, and/or a fence or wall for effective buffering. The Creekside Committee shall be responsible for approval of buffering proposals and may participate in the design discussions prior to submittal for approval.

O. Ground Sign Guidelines: Ground signs are generally discouraged. However, a development-wide internal way-finding system utilizing high-quality sign materials is encouraged where appropriate.

1.11 Low Impact Development for Subarea A:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

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1.12 Development Standards for Subarea B

- A. Minimum Lot Width: 50 feet
- B. Minimum Lot Frontage: 50 feet on a Public Street or Private Street.
- C. Minimum Front Yard Setbacks: 20 feet for buildings and ten (10) feet for parking lots, measured from the right-of-way.
- D. Maximum Building Setback: 60 feet for buildings measured from the right-of-way.
- E. Minimum Side and Rear Yard Setback: Measured from the lot lines.
 - 1. *Minimum Side Yard*: 10 feet for buildings, 10 feet for parking lots, and 5 feet for an outdoor patio or dining area adjacent to the rail-trail easement.
 - 2. *Minimum Rear Yard*: 10 feet for buildings, 10 feet for parking lots.
- F. Maximum Front Yard Parking Lot: Any parking lot located between the front building line and 106th Street's right-of-way shall be limited to either a single loaded parking area or a double loaded parking area, served by not more than one (1) interior access drive or aisle, and where the interior access drive or aisle is located generally parallel to the street right-of-way.
- G. Maximum Height: 40 feet and two (2) stories for all buildings.
- H. Off-Street Parking: See the Zionsville Zoning Ordinance, as amended.
- I. Off-Street Loading: Not permitted.
- J. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street or side facade facing a parking lot may have one (1) wall sign. Each wall signs shall be limited to 60 square feet of sign area.
- K. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- L. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea B in the next section for consideration of ground signs.
- M. Screening Requirements: Not required.
- N. Outside Storage and Operations: Not permitted.
- O. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
 - 1. *Sidewalk Connection*: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public path system along 106th Street.
 - 2. *Internal Trail System Connection*: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

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1.13 Architectural and Landscaping Requirements for Subarea B:

- A. Review and Approval Authorization: The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment Commission if the Creekside Committee is no longer in effect.
- B. Interpretation and Application of Guidelines: The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. Overall Architectural Guidelines: The building or buildings constructed in Subarea B should be complementary to new developments on South Main Street and/or the Village. The building should be pedestrian scale and welcoming. The inside of the ground floor space should be visible and welcoming from 106th Street.
- D. Building Height Guidelines: A building shall be two (2) stories.
- E. Building Size Guidelines: A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.
- F. Building Facade Guidelines: Any building shall utilize four-sided architecture such that all facades and building features are highly detailed and aesthetic. This area is visible from multiple directions (assuming a rail-trial is constructed along the former interurban line) and shall be held to the highest standard in the Creekside Corporate Park.
- G. Building Material Guidelines: In order to create variation and interest in the built environment, all new buildings or building additions shall:
 - 1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
 - 2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
 - a. brick,
 - b. wood,
 - c. fiber cement,
 - d. External Insulation and Finish System (E.I.F.S.), or
 - e. stone.
- H. Roof Guidelines:
 - 1. *Pitched Roof*: Pitched roofs are permitted. Such roofs should be symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building.
 - 2. *Shed or Gambrel Roofs*: Shed or gambrel roofs are generally not permitted.
 - 3. *Flat Roofs*: Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Additionally, any rooftop mechanical equipment shall be reasonably screened.
 - 4. *Roof Design*: In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- I. Entrance Guidelines: The main building and/or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- J. Window Guidelines: All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of the building shall have windows.
- K. Awning and Canopy Guidelines: Shall be the discretion of the Creekside Committee.
- L. Outdoor Dining: Is encouraged for food service uses.

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M. Lighting Guidelines:

1. *Shielding:* Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
2. *Height:* The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
3. *Consistency:* Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
4. Facade illumination or sign lighting shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right-of-Way.

N. Loading Docks: Loading docks shall not be permitted.

O. Landscaping: Plants and hardscaping elements shall be chosen and installed to accomplish the following:

1. *General Aesthetic:* To generally enhance the overall character of the site.
2. *Screen Headlights:* To screen the headlights of cars from shining onto adjacent office properties and onto 106th Street.
3. *Relieve Heat Island Effect:* To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots.

P. Ground Sign Guidelines: One (1) ground sign may be permitted by the Creekside Committee if deemed necessary and fitting of the character. If permitted, the ground sign shall be limited to five (5) feet in height, thirty (30) square feet in area, and landscaped around the base. The sign may be internally illuminated, but shall be done so with the minimal amount of light necessary to read the sign.

1.14 Low Impact Development for Subarea B:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

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1.15 Development Standards for Subarea C

- A. Minimum Lot Width: Not required.
- B. Minimum Lot Frontage: Not required.
- C. Minimum Front Yard Setbacks: 5 feet for all structures.
- D. Maximum Building Setback: Not applicable.
- E. Minimum Side and Rear Yard Setback:
 - 1. *Minimum Side Yard*: 5 feet for all structures.
 - 2. *Minimum Rear Yard*: 5 feet for all structures.
- F. Maximum Front Yard Parking Lot: Not applicable.
- G. Maximum Height: 16 feet for all structures.
- H. Off-Street Parking: Not required.
- I. Off-Street Loading: Not permitted.
- J. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: None permitted.
- K. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: None Permitted.
- L. Screening Requirements: Not required.
- M. Outside Storage and Operations: Not permitted.
- N. Pedestrian Connectivity: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary amenities to the public pedestrian facilities along the internal street.

1.16 Development Standards for Subareas D

- A. Review and Approval Authorization: The development standards listed below shall be subject to Zoning Administrator review and approval in perpetuity.
- B. Variances: Any variance to the below listed development standards shall be considered by the Zionsville Board of Zoning Appeals.
- C. Minimum Lot Width: 50 feet; 30 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the Minimum Front Yard Setback.
- D. Minimum Lot Frontage: 50 feet on a Public Street or Private Street; 20 feet for lots connecting with the Creek Way cul-de-sac. Minimum lot width shall be measured at the right-of-way line.
- E. Minimum Front Yard Setbacks: Measured from the right-of-way.
 - 1. *From 106th Street*: 40 feet for buildings, 20 feet for parking lots.
 - 2. *From Internal Public or Private Streets*: 30 feet for buildings, 15 feet for parking lots.
- F. Maximum Building Setback: Measured from the right-of-way.
 - 1. *From 106th Street*: 120 feet for buildings.
 - 2. *From Internal Public or Private Streets*: Not applicable.
- G. Minimum Side and Rear Yard Setback: Measured from the lot lines.
 - 1. *Minimum Side Yard*: 30 feet for buildings, 5 feet for parking lots.
 - 2. *Minimum Rear Yard*: 30 feet for buildings, 10 feet for parking lots and where adjacent to Subarea C.
 - 3. *Minimum Property Boundary Setback*: The minimum building setback from the rear property line, adjacent to single-family residential, shall be forty (40) feet; and the minimum parking lot setback from the rear property line, adjacent to single-family residential, shall be thirty (30) feet.
- H. Maximum Front Yard Parking Lot: Any parking lot located between the front building line and 106th Street's right-of-way shall be limited to either a single loaded parking area or a double loaded parking area, served by not more than one (1) interior access drive or aisle, and where the interior access drive or aisle is located generally parallel to the street right-of-way.
- I. Maximum Height: 60 feet for all buildings, provided that the minimum required setbacks be increased by one-half (1/2) foot for each one (1) foot of building height above forty-five (45) feet.
- J. Off-Street Parking: See the Zionsville Zoning Ordinance, as amended.
- K. Off-Street Loading: Shall be limited to two (2) truck loading bays for buildings over 20,000 main floor square

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feet and one (1) bay for buildings between 8,000 and 20,000 main floor square feet. Buildings smaller than 8,000 square feet are not permitted truck loading bays. Any building that is not able to locate truck loading bays in a non-conspicuous facade or otherwise aesthetically shield them from view from a Public Street shall not be permitted truck loading bays.

- L. Wall Signs for Single-Tenant Buildings and Multiple-Tenant Buildings with Interior Entrances: The following provision applies to single-tenant buildings and multiple-tenant buildings that have entrances off of interior hallways. Each facade facing a Public Street may have one (1) wall sign above a featured main entrance, in the parapet at the top of the building, or in an architecturally designed location on the front façade. Under no circumstance shall more than two (2) wall signs be permitted on one (1) primary structure. Wall signs shall be limited by one of the following:
 - 1. *Large Front Facade (parapet)*: Maximum of 120 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a parapet at the top edge of the building.
 - 2. *Large Front Facade (above entrance)*: Maximum of 80 square feet of sign area for front facades greater than 4,000 square feet when located above a featured main entrance.
 - 3. *Large Front Façade (optional feature)*: if chosen shall replace option for a Large Front Façade (parapet) sign. Maximum of 200 square feet of sign area for front facades greater than 4,000 square feet when the sign is located along a front façade.
 - 4. *Small Front Facade (parapet)*: 3% of the total front facade area shall be the maximum square feet of sign area. This standard applies to front building facades less than 4,000 square feet in area.
 - 5. *Small Front Facade (above entrance)*: 2% of the total front facade area shall be the maximum square feet of sign area for a sign located above a featured main entrance. This standard applies to front building facades less than 4,000 square feet in area.
 - 6. *Façade Visible from West 106th Street (oriented to rear yard)*: shall be permitted to be improved with a rear facing sign not exceeding 12 square feet in size (being illuminated or non-illuminated).
- M. Wall Signs for Multiple-Tenant Buildings with Exterior Entrances: The following provision applies to multiple-tenant buildings with entrances to tenant spaces from the exterior. Each tenant with an exterior entrance may have one (1) wall sign limited to thirty (30) square feet, or one (1) foot of sign area per lineal foot of tenant frontage, whichever is greater. Each tenant sign shall be located in a space designed for wall signs above that tenants entrance.
- N. Ground Signs: Ground Signs are not permitted by right. See the Architectural and Landscape Requirements for Subarea A in the next section for consideration of ground signs.
- O. Screening Requirements: Parcels adjacent to the Williams Glen apartment complex shall be required to install screening along the common property line, and within twenty (20) feet of that property line. Landscaping shall consist of native canopy tree species planted at a rate of one tree per forty (40) feet of contiguous boundary. The spacing of those trees should be irregular such to create a natural looking buffer. Therefore, the minimum spacing shall be twenty (20) feet and maximum spacing sixty (60) feet.
- P. Outside Storage and Operations: Not permitted
- Q. Pedestrian Connectivity: All buildings shall have a pedestrian/bikeway system in compliance with the following requirements:
 - 1. *Sidewalk Connection*: A minimum six (6) foot wide sidewalk shall functionally and efficiently connect the primary building entries with the public sidewalk or path system. These sidewalk connections are not required off of the sidepath along 106th Street.
 - 2. *Internal Trail System Connection*: Any lot which abuts the internal trail system located in Subarea C shall provide a connection between those trails and the building. Said connection shall be a sidewalk or otherwise improved path, allowing a connection for pedestrians and bicyclists. If the internal trail system in Subarea C has not yet been installed, this requirement may be delayed up until the internal trail system is built. Upon its completion, the adjacent property owner shall be required to install their connection within six (6) months.

1.17 Architecture and Landscape Architecture Requirements for Subarea D:

- A. Review and Approval Authorization: The architecture of all initial buildings shall be subject to the Creekside Committee review and approval. The details of an approved project shall be written into the purchase agreement for the land being sold. Changes to a pre-existing building after the initial construction (e.g. an addition, facade alteration, or the like) shall be reviewed by the Creekside Committee or the Zionsville Redevelopment

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Commission if the Creekside Committee is no longer in effect.

- B. Interpretation and Application of Guidelines: The Creekside Committee will interpret and determine the applicability of the below guidelines to each project. The Creekside Committee will strive for architecture and site improvements that are high quality, timeless, appropriate for a gateway into downtown Zionsville, and that create a development-wide aesthetic character.
- C. Building Height Guidelines:
 - 1. *Buildings Along 106th Street*: Any building located along 106th Street shall be at least two (2) stories, preferably three (3) or more.
 - 2. *Buildings Not Along 106th Street*: Any building located off of 106th Street is preferred to be two (2) stories or more. However, buildings partially or fully within sixty (60) feet of the northern property line and adjacent to single-family residential lots, shall be no greater than two (2) stories.
- D. Building Size Guidelines: A high floor area ratio (FAR) is desired. It is the desire of this development to fully utilize each parcel and to not allow land to be wasted. Green space beyond setbacks, parking lot islands, screening and buffering is discouraged (because the overall development is intended to have a large percentage of greenspace, trails, and park amenities). Similarly, an unnecessarily large parking lot is not desired.

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- E. Building Facade Guidelines: Any new building or building addition shall have the following characteristics and features:
1. *Buildings Along 106th Street*: Any building located along 106th Street shall utilize four-sided architecture such that all facades and building features are highly detailed and aesthetic. These lots are visible from multiple directions and shall be held to the highest standard in the Creekside Corporate Park.
 2. *Buildings Not Along 106th Street*: Any building located off of 106th Street shall have high architectural standards, however only the facades and building features clearly visible from Creek Way (the internal street) are required to meet that standard.
 3. *Facades that Face Residential Uses*: Any building facade facing Williams Glen Apartments or single-family residential lots to the north shall have a high degree of architectural character as to be a good neighbor to that residential use. This provision shall not apply if the building is greater than 150 feet from the applicable property line.
- F. Building Material Guidelines: In order to create variation and interest in the built environment, all new buildings or building additions shall:
1. Utilize at least two (2) building materials; excluding: windows (e.g. glass and frames), doors, and roofing material.
 2. The primary exterior material for any facade visible from 106th Street shall be one of the following:
 - a. brick,
 - b. architectural concrete that is colored and textured to closely resemble brick or stone,
 - c. External Insulation and Finish System (E.I.F.S.), or
 - d. stone.
 3. The primary exterior material for any facade not visible from 106th Street shall be one of the following:
 - a. brick,
 - b. wood,
 - c. fiber cement,
 - d. architectural concrete that is colored and textured to closely resemble brick or stone,
 - e. External Insulation and Finish System (E.I.F.S.), or
 - f. stone.
- G. Roof Guidelines:
1. *Pitched Roof*: Pitched roofs shall only be permitted on smaller lots toward the rear of the development. Pitched roofs shall be simply and symmetrically pitched and only in the configuration of gables and hips, with pitches ranging from 5:12 to 12:12. Pitched roofs shall be clad in architectural, dimensional shingles or raised seam metal when done so for rainwater collection or other green building practice. Roof color shall be complementary to the design of the building. The Creekside Committee may approve additional material that clearly satisfies the intent of this subsection, and that is complementary of the building's architecture.
 2. *Shed Roofs*: Shed roofs are generally not permitted
 3. *Flat Roofs*: Flat roofs are permitted when consistent with the selected style of architecture, and if the top edge of the facade has some adornment or architectural character. Green roofs are permitted. Additionally, any rooftop mechanical equipment shall be reasonably screened.
 4. *Roof Design*: In no case shall rooftop mechanical equipment be visible from 106th Street. All vents, attic ventilators, turbines, flues and other roof penetrations shall also be discrete.
- H. Entrance Guidelines: The main building or tenant space pedestrian entrances shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, and other design elements appropriate to the selected architectural style and details of the building as a whole. The location, orientation, proportion and style of doors shall reflect the chosen style of the building.
- I. Window Guidelines: All window designs shall be compatible with the style, materials, color, details and proportion of the building. All facades of a building shall have windows.
- J. Awning and Canopy Guidelines: Shall be the discretion of the Creekside Committee.

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K. Lighting Guidelines:

1. *Shielding:* Any exterior lighting on any site shall be shielded to prevent light pollution (i.e. skyward) and light trespass (i.e. shining toward neighbors).
2. *Height:* The maximum height of any light fixtures, whether freestanding or mounted on a facade, for illumination of the site shall be twenty (20) feet.
3. *Consistency:* Light standards and fixtures on any lot, including free-standing light fixtures, those attached to buildings, security lights, and architectural lights, shall be of consistent design and material. Additionally, parking lot lights shall be of uniform size and height.
4. Facade illumination or sign lighting shall be carefully directed and shielded so that the light element is not visible from points along an adjacent public Right- of-Way.

L. Loading Dock Guidelines: Loading docks shall not face 106th Street or the internal street, be visible from 106th Street, be visible from Williams Glen Apartments or the single-family residential lots to the north, or otherwise be a visual nuisance from an adjacent building.

M. Landscaping Guidelines: Plants and hardscaping elements shall be chosen and installed to accomplish the following:

1. *General Aesthetic:* To generally enhance the overall character of the site.
2. *Screen Headlights:* To screen the headlights of cars from shining onto adjacent residential properties, and onto 106th Street and the internal street.
3. *Relieve Heat Island Effect:* To utilize trees in and/or adjacent to parking lots to provide shade and aesthetic relief, especially in large parking lots. At least one landscape island shall be established per sixty (60) parking spaces, and at least one canopy or ornamental tree shall be planted in said island. Landscape islands shall be at least nine (9) feet square.

N. Bufferyard: Lots adjacent to the northern property line adjacent to single-family residential lots shall install plant material, and/or a fence or wall for effective buffering. The Creekside Committee shall be responsible for approval of buffering proposals and may participate in the design discussions prior to submittal for approval.

O. Ground Sign Guidelines: Ground signs are generally discouraged. However, a development-wide internal way-finding system utilizing high-quality sign materials is encouraged where appropriate. Ground Signs located along 106th Street shall be subject to the Creekside Committee and shall be similar in area, height, location, materials, and lighting as to assure a uniform and highly aesthetic development-wide character.

1.18 Low Impact Development for Subarea D:

- A. Parking Lot Design: Parking lots shall be designed using low impact development best practices to reduce, absorb, and filter storm water rather than pipe it to a retention pond or other outlet. The use of french drains, cisterns, brick pavers, pervious pavement, rain gardens, swales, vaults, and the like should be considered.
- B. Stormwater Runoff from a Building: The impervious surface created by a building should be offset through utilization of green roofs, pervious sidewalks, brick pavers, rain gardens, rain barrels, cisterns, swales, selection of plant material, and the like.
- C. Retention Pond/Detention Basin: Retention ponds are strongly discouraged. Short-term detention basins are supported.

1.19 Administration

- A. Relationship to the Zionsville Zoning Ordinance: Where the Creekside Corporate Park PUD is silent, the most relevant regulations from the Town of Zionsville Zoning Ordinance, as amended, and as determined by the Zoning Administrator shall apply.
- B. Subdivision Control: All lots established within Creekside Corporate Park shall be approved through the subdivision process as set forth in the Town of Zionsville Subdivision Control Ordinance.
- C. Accessory Uses:
 1. Accessory Uses shall not be permitted on a lot prior to the erection of the Primary Building.
 2. No Accessory Use or Structure shall be permitted in any required Front, Side or Rear Yard.
- D. Access
 1. Median Cuts Along 106th Street: There shall be no more than two (2) median cuts along 106th Street within the boundary of Creekside Corporate Park; those being directly across from the main entrance into the Lids development and the other directly across from Dahlia Drive. Any other median cut shall be strongly

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discouraged and shall only be considered for exceptional purposes. An additional median cut shall be approved by the Creekside Committee and the Zionsville Plan Commission.

2. **Curb Cut Along 106th Street:** There shall be no more than two (2) curb cuts into the Creekside Corporate Park's north side (i.e. land north of 106th Street). Those curb cuts shall be as described in the median cut language above.
- E. **Development Timetable:** Major infrastructure has been put in place by the Town of Zionsville and development of the site will occur as demand dictates.
- F. **Appeals:** Any final official determination of the Zoning Administrator under this Creekside Corporate Park PUD, including the determination to issue or not issue an Improvement Location Permit, shall be a determination appealable to the Town of Zionsville Board of Zoning Appeals. Approvals of architecture and landscaping assigned to the Creekside Committee are appealable to the full Zionsville Redevelopment Commission.
- G. **Severability:** It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Petition for Zone Map Change are severable and, if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgment or decree, such unconstitutionality or invalidity shall not affect any remaining sections, paragraphs, sentences, clauses or phrases of this Petition for Zone Map Change because the same would have been enacted without the incorporation into this Petition for Zone Map Change of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

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H. Definitions: As per the Zoning Ordinance, as amended, including:

1. *Williams Glen Apartments*: The multiple-family development east of Creekside Corporate Park.
2. *Creekside Committee/Redevelopment Commission*: Entity serving as the initial manager of the Covenants and Restrictions for Creekside Corporate Park. Upon initial buildout of 75% of the lots in Creekside Corporate Park, or at a date mutually agreed to by both the Commission and its Assigns (whichever is the earlier of the two), the Covenants and Restrictions for Creekside Corporate Park, as well as the role of the Creekside Committee, shall be assumed by the Assign.