

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 22-23

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED
REZONING OF APPROXIMATELY 185.97 ACRES LOCATED ON THE EAST SIDE
OF FIVE POINTS ROAD, ONE-HALF MILE SOUTH OF COUNTY LINE ROAD)**

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter, "Commission") conducted a public hearing in accordance with Ind. Code § 36-7-4-603 and Ind. Code § 36-7-4-1505 on the petition for the rezoning of approximately 185.97 acres of land located on the east side of Five Points Road, approximately one-half mile south of County Line Road, within the corporate boundaries of the City of Greenwood, from the current zoning of AG – Agricultural District to Planned Unit Development District for development of an age-restricted (55+) single-family subdivision to be known as the Sagebriar Planned Unit Development ("Sagebriar PUD");

WHEREAS, the Commission required the following commitments regarding the use and development of the real estate:

1. One-half right-of-way 35' width shall be dedicated along the entire length of either the north property line or south property line of the PUD.
2. 50' of half right-of-way shall be dedicated along Five Points Road as shown in the concept plan.
3. Five Points Road shall be reconstructed to County Road Option 1 along the entire development frontage.
4. If the number of lots increases from 519 the City Engineer may require an amended traffic impact study.
5. A facilities plan, preliminary concept, or feasibility report shall be provided for electric power.
6. Coordination with Sanitation shall occur for the capacity, sizing, placement, and design of all sanitary sewer improvements including the gravity sewer main, force main, and lift station.
7. Pedestrian facilities are to be provided on both sides of all streets within the development.
8. Project dates for beginning and completion of each phase per UDO 10-03-17.E.2.b.iii shall be included.
9. All commitments shall be addressed before a Land Alteration Permit (LAP) is released;

WHEREAS, the Owner made the following commitments to the Common Council regarding the use and development of the real estate:

1. Owner shall obtain all necessary approvals from the Johnson County Drainage Board, City of Greenwood, and any other local or state department, agency, board or commission for storm water drainage prior to the commencement of construction on the Real Estate (collectively, the "Drainage Approvals").
2. Owner shall provide written notice to the owner of the property commonly known as 3981 E. Mathews Road (the "Adjacent Real Estate") and any other owner of property located within 1,320 feet of the perimeter of the Real Estate that requests notice and provides their address of the following:
 - a. Not less than seven (7) days' prior notice of any hearing before the Johnson County Drainage Board or meeting with the Greenwood technical advisory committee or similar committee, at which drainage will be discussed, which notice shall also include any drainage plans submitted by Owner or Owner's representative; and
 - b. Notice of approval of any drainage plans along with a copy of the approved drainage plans.
3. Owner shall cause any declaration or covenant that encumbers the Real Estate and is intended to govern the use of the Real Estate as a residential subdivision to include an acknowledgment of the proximity, noise, and general flight path of the plane that utilizes the Adjacent Real Estate for takeoffs and landings. At least one piece of

4. Owner shall install, at its expense, six feet tall, shadow box privacy fence that is approximately 240 feet in length, as shown below. Such fence shall be installed within six months of the first building permit being issued by the City of Greenwood for any platted lot in the section of the development on the Real Estate that is directly adjacent to the western boundary of the Adjacent Real Estate.

GRAPHIC SCALE

(IN FEET)

NOTE:
SCALE: 1" = 60'

LEGEND

EXISTING	PROPOSED
Center Line	Center Line
Easement Line	Easement Line
Right-of-Way Line	Right-of-Way Line
Utility Line	Utility Line
Water Main	Water Main
Sanitary Sewer	Sanitary Sewer
Storm Sewer	Storm Sewer
Electric	Electric
Gas	Gas
Telephone	Telephone
Fire Hydrant	Fire Hydrant
Street Light	Street Light
Tree	Tree
Building	Building
Property Line	Property Line

Approx 240' Distance to Robinson Property Line

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** (5-3) regarding said changes in the zone map and amendments to the Unified Development Ordinance (“UDO”) and certified the same to the Greenwood Common Council:

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter and has taken it under consideration in accordance with and subject to Ind. Code § 36-7-4-1505 and Ind. Code § 36-7-4-608.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

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[A/A 10-17-22]

shown below, from AG – Agricultural District to PUD –Planned Unit Development to be known as the “Sagebriar PUD District”:

Part of the West Half of Section 25, Township 14 North, Range 4 East, Clark Township, Johnson County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of Section 25, Township 14 North, Range 4 East, Clark Township, Johnson County, Indiana; thence North 00 degrees 17 minutes 27 seconds East (assumed bearing - measured) on the West line of said Northwest Quarter 323.39 feet to a P.K. Nail at the Northwest corner of the 20 acres of equal width off the South end of said Northwest Quarter as described in Deed Book 204, Page 231 in the Office of the Recorder of Johnson County, Indiana; thence North 89 degrees 32 minutes 43 seconds East on the North line of said 20 acres a distance of 2694.27 feet to a 5/8 inch rebar on the East line of said Northwest Quarter: thence South 00 degrees 19 minutes 38 seconds West on the East line of said Northwest Quarter 323.39 feet to the Northeast corner of the Southwest Quarter of said Section 25; thence South 00 degrees 22 minutes 27 seconds West on the East line of said Southwest Quarter 2688.13 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 08 minutes 16 seconds West on the South line of said Southwest Quarter 2676.76 feet to the Southwest corner of said Southwest Quarter; thence North 00 degrees 00 minutes 00 seconds East on the West line of said Southwest Quarter 2701.96 feet to the Point of Beginning; containing 185.97 acres, more or less.



Section 2. Applicability. The City of Greenwood Unified Development Ordinance (“UDO”) is amended to establish the Sagebriar PUD District as set forth in Exhibit A, attached hereto and incorporated herein by reference, including its exhibits (hereafter the “PUD Ordinance”). Development of the Real Estate shall be governed by the provisions of (i) the PUD Ordinance, and (ii) the provisions of the UDO, as amended and applicable to the referenced zoning district, except as modified, revised, supplemented or expressly made inapplicable by this PUD Ordinance. To the extent of any conflict between this PUD Ordinance and any other provision of the UDO, the terms of this PUD Ordinance shall control.

Section 3. The Sagebriar PUD District shall be developed and used in conformance with the commitments set forth in the second and third “Whereas” clauses above.

Section 4. The Plan Commission is hereby authorized to make the above described changes to the official zoning map of the City of Greenwood and amendments of the City of Greenwood UDO.

Section 5. Owner/Developer shall record the PUD Ordinance with the Recorder of Johnson County, Indiana, within sixty (60) days following its adoption, and shall deliver a copy of the recorded ordinance to the Department of Community Development Services, Planning Division.

Section 6. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 20-29, as amended.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law, and after the above-described commitments are made by the owner and recorded in the chain of title of the above described real estate in the office of the Recorder of Johnson County, Indiana.

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Passed by the Common Council of the City of Greenwood, Indiana, this 17th day of October, 2022.

Michael Campbell
Michael Campbell, President
Greenwood Common Council

ATTEST:

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 17th day of October, 2022, by the following vote:

	AYE:	NAY:
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ronald Bates	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bradley Pendleton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Andrew K. Foster	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 17th day of October, 2022, is presented by me this 20th day of October, 2022, at _____ o'clock _____ m., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers
Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 17th day of October, 2022, is approved by me this 21st day of October, 2022, at 8:30 o'clock A .m.

Mark W. Myers
MARK W. MYERS, Mayor of the City of
Greenwood, Indiana

SAGEBRIAR PUD DISTRICT ORDINANCE
GREENWOOD COMMON COUNCIL ORDINANCE 22-23

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This PUD District Ordinance (the “PUD Ordinance”) is an ordinance amending the Unified Development Ordinance of the City of Greenwood, Indiana (the “City”), adopted October 5, 2020, as Common Council Ordinance 20-29, as amended (the “UDO”), which includes the Official Zone Map (the “Official Zoning Map”), in effect as of the date of the option of this PUD Ordinance.

Recitals

WHEREAS, under Petition PC2022-060 and in compliance with Indiana Code 36-4-7 et. seq., the City of Greenwood Plan Commission (the “Plan Commission”) conducted one or more public hearings, with due and proper notice and publication, with respect to a request to rezone the real estate legally described in Exhibit A attached hereto and incorporated herein by reference (the “Real Estate”) to a planned unit development district to be known as the Sagebriar Planned Unit Development District (the “Sagebriar PUD District”);

WHEREAS, the Plan Commission has sent to the Common Council of the City of Greenwood (the “Council”) its favorable recommendation of the Petition adopted on the 22nd day of August, 2022 by a vote of 5 in favor, and 3 opposed, in accordance with Indiana Code 36-7-4-608 and Indiana Code 36-7-4-1505; and

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

WHEREAS, the Council, after conducting a public meeting in accordance with Indiana Code 36-7-4-1505 and Indiana Code 36-7-4-608, ordained by Ordinance 22-23 that the UDO, including the Official Zoning Map, is hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 Designation. The UDO and Official Zoning Map are hereby changed to designate the Real Estate as a planned unit development district to be known as the “Sagebriar PUD District”.
- 1.2 Applicability. Development of the Real Estate shall be governed by (i) the provisions of this PUD Ordinance and its exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the referenced zoning district, except as modified, revised, supplemented or expressly made inapplicable by this PUD Ordinance. To the extent of any conflict between this PUD Ordinance and any other provision of the UDO, the terms of this PUD Ordinance shall control.
- 1.3 References. Division (“Division”) and Section (“Section”) cross-references in this PUD Ordinance shall hereinafter refer to the section as specified and referenced in the UDO.

- 1.4 Supersede. All provisions and representations of the UDO that conflict with the provisions of this PUD Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this PUD Ordinance.

Section 2. Definitions.

- 2.1 Defined Terms. Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the UDO. Terms that are defined in the UDO that are used in this Ordinance shall have the meanings ascribed to them in the UDO unless specifically stated otherwise.
- 2.2 Recitals. The provisions of the preface and Recitals noted above are hereby incorporated into this PUD Ordinance, including the terms defined therein.
- 2.3 Underlying Zoning District. The underlying zoning district for the real estate is deemed to be Residential Medium Lot Zone (RM) (the “Underlying Zoning District”).

Section 3. General Details.

- 3.1 Concept Plan. This PUD Ordinance and the maps and exhibits attached hereto shall constitute the Concept Plan for the Sagebriar PUD District. The Concept Plan is attached hereto and incorporated herein by reference as Exhibit B (the “Preliminary Site Plan”).
- 3.2 Written Statement of Character of the Sagebriar PUD District. The Sagebriar PUD District is intended to allow for the development of single family detached housing, that contains a maximum of 550 dwelling units. The dwelling units will provide for a minimum of two levels of homes that are specifically designed to meet the unique needs of persons over the age of 55, including significant and specifically targeted amenities as provided herein. The use of a planned unit development district allows the project, including lot sizes, open space, and amenities to be designed in furtherance of these objectives, which is not possible utilizing just the Underlying Zoning District development standards and requirements.
- 3.2.1 Pulte Homes of Indiana, LLC (“Developer”), pursuant to an existing purchase and sale agreement, will purchase and develop the entirety of the Real Estate, including the construction of all homes. Homes will be sold to persons in compliance with the requirements of HOPA.
- 3.3 Applicability of Underlying Zoning District. To the extent this PUD Ordinance is silent with respect to a particular land use, development standard or other applicable provision of the UDO, the standards and regulations of the Underlying Zoning District shall apply.
- 3.4 Platting. Primary and Secondary platting of sections or phases of the Sagebriar PUD District shall be required in compliance the provisions of *Section 10-06-27* of the UDO.

Section 4. Permitted Uses/Prohibited Uses. The permitted uses on the Real Estate are as follows:

- 4.1 Principal Uses. All uses permitted in the RM District shall be permitted.
- 4.2 Accessory Uses. All accessory uses and structures permitted in the Underlying Zoning District shall be permitted.
- 4.3 Special Exceptions. Special Exceptions of the Underlying Zoning District are prohibited.

Section 5. Maximum Dwellings. The maximum number of Dwellings that may be constructed on the Real Estate shall be 550.

Section 6. Miscellaneous Regulations.

- 6.1 Common Areas and Facilities. Common Open Space, Community Facilities and other portions of the Real Estate that are not located within a Lot shall not be subject to the Development Standards of Section 8 below unless specially required. Any provisions of the Underlying Zoning District shall not apply to the extent any such provision would prohibit or interfere with the development of the Real Estate in accordance with the Preliminary Site Plan.
- 6.2 Minimum Standards. The Development Standards listed in Section 8 below are the minimum requirements for the Sagebriar PUD District. Such development standards shall not be construed so as to prohibit any development on the Real Estate from exceeding the minimum requirements unless the Development Standards contain a maximum limitation or standard.
- 6.3 Airstrip and Flight Path. Development of the Real Estate shall be in conformance with all local, state, and federal laws as applicable to the Real Estate. Parcel 41-02-25-041-018.000-006 located to the east of the Real Estate within the limits of Johnson County, Indiana, has been identified to have a private airstrip on the property. The Preliminary Site Plan provides for a minimum of 250' setback from the east property line of the Real Estate along the shared property line with 41-02-25-041-018.000-006.

Section 7. Lot Standards. All lots shall conform to the following development standards, as well as those standards listed in Section 8 below:

RM Standards	Minimum	Maximum
Lot Size (Sq. Ft.)	5,700	N/A
Lot Width (Ft.)	46'	N/A
Front Yard Setback (Ft.)	20'	N/A
Side Yard Setback (Ft.)	6'	N/A
Rear Yard Setback (Ft.)	15'	N/A
Building Height (Ft.)	N/A	35'
Residential Unit Size (Sq. Ft.)	1,500	N/A
Impervious Lot Coverage (Maximum Percentage of Total Lot Area)	N/A	60%
Accessory Building Location	Rear Yard, min. 5' from any lot line - permitted in a side yard only if there is 15' between the front of the primary structure and the accessory building	
Accessory Building Height (Ft.)	N/A	20'
Parking Location	Driveway or Garage, On-Street parking as permitted by ordinance	
Signage	Division III, Sec. 10-03-08, as modified by this PUD Ordinance	
Landscaping	Division III, Sec. 10-03-06, as modified by this PUD Ordinance	
Parking	Division III, Sec. 10-03-02	
Design Standards	Division III, Sec. 10-03-14	
Uses	See Master Use Table in Division III, Sec. 10-02-11	

Section 8. Generally Applicable Regulations. The Generally Applicable Regulations, *Sections 10-03-02 through Sections 10-03-17* applicable to the Underlying Zoning District shall apply to the Sagebriar PUD District as follows:

- 8.1 Section 10-03-02 Parking and Access. The provisions of *Section 10-03-02* of the UDO shall apply to the Sagebriar PUD District.
- 8.2 Section 10-03-03 Commercial Off-Street Loading Facilities. The provisions of *Section 10-03-03* of the UDO shall not apply to the Sagebriar PUD District. No commercial off-street loading facilities shall be permitted in the Sagebriar PUD District.
- 8.3 Section 10-03-04 Loading and Drop-off for Deliveries and Rideshare. The clubhouse amenity may, but shall not be required to, include facilities for the loading, pick-up and drop-off for rideshare passengers and deliveries.
- 8.4 Section 10-03-05 Drive-thru(s). The provisions of *Section 10-03-05* of the UDO shall not apply to the Sagebriar PUD District. Drive thrus shall be prohibited in the Sagebriar PUD District.
- 8.5 Section 10-03-06 Landscaping and Buffering. The provisions of *Section 10-03-06* of the UDO shall apply to the Sagebriar PUD District as follows:

- 8.5.1 *Subsections A, B, C, D, E, F, and G of Section 10-03-06* of the UDO shall apply to the Sagebriar PUD District, subject to the provisions of Section 8.5 of this Ordinance.
- 8.5.2 *Subsection H of Section 10-03-06* of the UDO shall apply to the Sagebriar PUD District, except as modified below:
- 8.5.2.1 Street trees shall be planted at a rate of one (1) tree per Lot, per frontage. For example, corner Lots shall have two (2) streets trees in the aggregate, with one (1) street tree planted per frontage.
- 8.5.2.2 Street trees shall be placed within three feet (3') of the back of the sidewalk; provided, however, if the required location of a street tree would conflict with a utility or utility easement, then it may be relocated on the same Lot to a location as close as reasonably possible to what would have been its required location.
- 8.5.3 *Subsection I of Section 10-03-06* of the UDO shall apply to the Sagebriar PUD District, except as modified below:
- 8.5.3.1 Buffering or a buffer yard shall not be required where the Real Estate abuts a property that is located within the unincorporated area of Johnson County, Indiana.
- 8.5.4 *Subsection J of Section 10-03-06* of the UDO shall apply to the Sagebriar PUD District, except as modified below:
- 8.5.4.1 Interior islands may be installed above or below the level of the parking lot surface.
- 8.5.4.2 Drive aisles shall not require perimeter plantings; however, the perimeter parking lot landscaping area shall be required around the amenity area's parking lot.
- 8.5.5 Existing vegetation shall be preserved where and as shown on the Preliminary Site Plan. Existing trees in common areas that are preserved and meet the size requirements of the UDO shall qualify as a credit in lieu of new plantings.
- 8.6 Section 10-03-07 Outdoor Lighting. The provisions of *Section 10-03-07* of the UDO shall apply to the Sagebriar PUD District, as modified below:
- 8.6.1 All homes shall include either i) one (1) coach light on both sides of the main garage door, or ii) a minimum of two (2) goose neck lights above the main garage door, and either x) one (1) coach light adjacent to, or y) one (1) can light above, the front door.
- 8.6.2 Post lights shall not be permitted on lots.

8.7 Section 10-03-08 Signage. The provisions of *Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except as modified below.

8.7.1 *Subsections A, B, D, F, G, H, I, J, K, O, P, Q, R, S, T, U, V and W of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, subject to Section 8.7 of this Ordinance.

8.7.2 *Subsection C of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except that pole banner signs shall be permitted to be installed or displayed by the Developer or the homeowners' association for the Sagebriar PUD District (the "HOA") only along the main, entrance boulevard and in front of the amenity center. An Example of the permitted pole banner signs is attached hereto as Exhibit C. Pole banner signs shall be spaced a minimum of 150 feet apart.

8.7.3 *Subsection D of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except as provided below:

8.7.3.1 Parking Signs shall be permitted as follows: One (1) sign, per parking space, not to exceed two (2) square feet in area and six (6) feet in height (includes post) shall be permitted. An example of the permitted parking sign is attached hereto as Exhibit I.

8.7.4 *Subsection E of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except as provided below:

8.7.4.1 Street Pole Banners and Pole Banners installed by the Developer or the HOA shall be permitted only along the main, entrance boulevard and in front of the amenity center and shall not be classified as temporary signs. Street pole banners and pole banners shall be spaced a minimum of 150 feet apart, shall have no more than two (2) banners per pole, and shall not be affixed to more than fifteen (15) poles. Examples of the permitted street pole banners and pole banners are attached hereto as Exhibit C and Exhibit D.

8.7.5 *Subsection L of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except as provided below:

8.7.5.1 Each permanent entrance off Five Points Road shall be permitted a maximum of two (2) permanent Monument Signs. Subject to necessary approvals, Signs may be placed within the median or flanking both sides of the roadway. If a sign is placed within the median, it shall be permitted to have sign area on two (2) faces/sides. An example of the permitted monument signs is attached hereto as Exhibit E.

8.7.5.2 Sign face and sign face surround materials shall also include metal.

- 8.7.5.3 Sign face shall not exceed seventy-five (75) square feet in area, per face, per sign.
- 8.7.5.4 The maximum height of any Monument Sign shall be ten (10) feet for the sign face, and a maximum of fifteen (15) feet for any other part of the sign (columns, walls, decorative features, etc.).
- 8.7.6 Way Finding Signage shall be permitted as follows:
- 8.7.6.1 Permanent Way Finding Signs are permitted throughout the Sagebriar PUD District. These signs are intended to be directional signs for both pedestrian and vehicular traffic. Way Finding Signs not located at the intersection of two roads shall be spaced a minimum of 50 feet apart. An example of the permitted way finding signs is attached hereto as Exhibit F.
- 8.7.6.2 Way Finding Signs are limited to four (4) square feet in sign face area, affixed to a post totaling not more than five (5) feet in height (includes post). Way Findings Signs shall not be illuminated.
- 8.7.6.3 Subject to necessary approvals, Way Finding Signs may be located within the public right-of-way.
- 8.7.6.4 Way Finding Sign design and material shall be in character with the theme of the Sagebriar PUD District or an applicable phase thereof. Plastic material shall be prohibited.
- 8.7.7 Subject to necessary approvals, the Developer may elect special street signs for the neighborhood in order to establish the character and theme of the development. If elected, the HOA must maintain and/or replace such signs as needed. Street signs shall conform to the Manual for United Traffic Control Devices (M.U.T.C.D.).
- 8.7.8 Model Home Signage shall be permitted for so long as a Dwelling is used as a model home by a builder of Dwellings in the Sagebriar District as follows:
- 8.7.8.1 Sales Center Sign: One (1) ground sign on the lot on which the sales center is located, individually not to exceed eighteen (18) square feet in sign face area, five (5) feet in height (includes posts), and six (6) feet in width (includes posts) shall be permitted. The sales center sign may be double-faced. An example of the permitted sales center sign is attached hereto as Exhibit G.
- 8.7.8.2 Model Identification Sign: One (1) freestanding sign, per model, on the lot on which the model home is located, not to exceed six (6) square feet in sign face area, four (4) feet in height (includes posts),

and four (4) feet in width (includes posts). An example of the permitted model identification sign is attached hereto as Exhibit H.

8.7.8.3 Model Window/Decal Signs: Three (3) window/decal signs, per model, a combined total of up to ten (10) square feet in area shall be permitted.

8.7.9 Amenity Signage shall be permitted as follows:

8.7.9.1 Ground Sign: One (1) ground sign, located at the clubhouse location, individually not to exceed one hundred twenty-eight (128) square feet in sign face area, thirteen (13) feet in height (includes posts), and sixteen (16) feet in width (includes posts) shall be permitted until the clubhouse is complete and available for use. An example of the permitted sales center sign is attached hereto as Exhibit J.

8.7.9.2 Boulevard Signs: Ten (10) individual ground signs, located along the entry boulevard, individually not to exceed six (6) square feet in sign face area, affixed to a post totaling not more than five (5) feet in height (includes post), subject to necessary approvals, may be located within the public right-of-way. Examples of the permitted boulevard signs are attached hereto as Exhibit K. All Boulevard Signs shall be removed no later than the completion and sale of Dwellings on all Lots in the Sagebriar PUD District.

8.7.10 Marketing Entrance Identification Signs shall be permitted as follows

8.7.10.1 Location: Each permanent entrance off Five Points Road shall be permitted a maximum of one (1) double-faced, or two (2) single-faced ground sign(s). An example of the permitted marketing entrance identification sign is attached hereto as Exhibit L.

8.7.10.2 Each sign face of a marketing entrance identification sign shall individually not to exceed sixty-four (64) square feet in sign face area with five (5) square feet for starbursts (see Sign Exhibit), ten (10) feet in height (includes posts), and eight (8) feet in width (includes posts). All Marketing Entrance Identification Signs shall be removed no later than the completion and sale of Dwellings on all Lots in the Sagebriar PUD District.

8.7.11 *Section M of Section 10-03-08* of the UDO shall not apply to the Sagebriar PUD District, Off-Premises signs shall not be permitted in the Sagebriar PUD District.

8.7.12 *Section N of Section 10-03-08* of the UDO shall apply to the Sagebriar PUD District, except as provided below:

8.7.12.1 Flags: Corporate flags may be flown at sales center locations in conjunction with the American flag are permitted. Only one corporate flag shall be permitted per builder. The maximum height of any such flag pole shall be restricted to twenty five (25'). Flag size should be appropriate for the height of the flag pole.

8.7.12.2 Street Pole Banners and Pole Banners shall be permitted and may be installed solely by the Developer or the HOA, and shall not be classified as temporary signs. Street Pole Banners and Pole Banners may be located on any street light poles within the Real Estate and shall not be limited in the total number of banners in the development. Each banner shall be a maximum of 2' wide and 5' tall. Banners may have print on both faces.

8.8 Section 10-03-09 Fences and Screens. The provisions of *Section 10-03-09* of the UDO shall apply to the Sagebriar PUD District, except as modified below:

8.8.1 Ornamental metal (aluminum) fences shall be permitted.

8.9 Section 10-03-10 Outdoor Display and Storage. The provisions of *Section 10-03-010* of the UDO shall apply to the Sagebriar PUD District, except as provided below:

8.9.1 Residential air-conditioning units shall be excluded from screening requirements.

8.10 Section 10-03-11 Manufactured and Mobile Homes. The provisions of *Section 10-03-11* of the UDO shall apply to the Sagebriar PUD District; however, Manufactured Homes and Mobile Home Parks are not permitted in the Sagebriar PUD District.

8.11 Section 10-03-12 Home Occupations. The provisions of *Section 10-03-12* of the UDO shall apply to the Sagebriar PUD District, except that sales operations and construction offices shall temporarily be permitted in the sales center/model home(s) which uses/occupations shall terminate upon the transfer of the last home's deed from Developer to the ultimate purchaser of the home.

8.12 Section 10-03-013 Accessory Uses and Structures. The provisions of *Section 10-03-13* of the UDO shall apply to the Sagebriar PUD District.

8.13 Section 10-03-14 Building Design Standards. The provisions of *Section 10-03-14* of the UDO shall not apply to the Sagebriar PUD District. Instead, the following shall apply:

8.13.1 Non-Monotony: The non-monotony code attached hereto as Exhibit N shall apply to the Sagebriar PUD District.

8.13.2 Garages: All Dwellings shall have at least a 2-car attached garage and shall meet the following requirements:

8.13.2.1 The garage façade shall not constitute more than 60% of the overall front façade. Third-car garages and garage storage bays without a garage door are exempt from this requirement.

8.13.2.2 The garage façade shall not protrude further than twelve (12) feet (excluding any optional garage extension) from the nearest front façade or porch. If a garage façade extends greater than or equal to eight (8) feet from the nearest front façade or porch, then the side elevation of the garage facing the front door shall include one (1) window a minimum of fifteen (15) square feet in size.

8.13.2.3 All garage doors shall be decorative (hardware, windows, decorative panels or a combination thereof).

8.13.3 Exterior Materials: All Dwellings meet the following requirements:

8.13.3.1 Vinyl and aluminum siding shall be prohibited.

8.13.3.2 Masonry (including brick, stone, synthetic stone), wood materials (wood and engineered wood), fiber cement or other durable, synthetic materials, and vinyl shutters, aluminum fascia, aluminum soffits, aluminum downspouts/gutters shall be permitted.

8.13.3.3 A masonry wainscot of not less than thirty (30) inches in height shall be included on all front elevations, unless the elevation is more than fifty percent masonry. All Dwellings on Corner Lots shall have four-sided masonry wrap that extends upward not less than thirty (30) inches.

8.13.4 Corner Lots: Side façades of the Dwelling facing a public street shall include a minimum of two (2) of the following elements:

8.13.4.1 A masonry material a minimum of thirty (30) inches tall;

- 8.13.4.2 A change in the exterior color separated by trim;
 - 8.13.4.3 A change in the Exterior Material pattern separated by trim;
 - 8.13.4.4 A change in the Exterior Material separated by trim;
 - 8.13.4.5 A gable end architectural detail (e.g., brackets, louvers, pediment, corbel, decorative window detail created with shutters, etc.);
 - 8.13.4.6 A minimum of ten (10) square foot gable window;
 - 8.13.4.7 A gable peak with a change in Exterior Material; or
 - 8.13.4.8 A projecting chimney running the full height of the side Building Façade constructed with Masonry Material.
- 8.13.5 Exterior Trim: Front Elevations of all Dwellings shall meet the following requirements:
- 8.13.5.1 A 1 x 4-inch nominal window trim board shall be provided unless the window is wrapped in masonry or shutters are provided. Trim shall be wood, engineered wood, fiber cement, or equivalent material.
- 8.13.6 Roof Elements: All Dwellings shall meet the following requirements:
- 8.13.6.1 Overhangs shall be a minimum of twelve (12) inches measured from framing prior to the installation of siding material. Notwithstanding anything in this Ordinance to the contrary, overhangs may extend into side yards. Lesser overhangs shall be permitted for secondary roof areas such as, but not limited to, covered porches and bay windows.
 - 8.13.6.2 Roofs pitches shall be a minimum of 5:12 on the main portion of the roof. Dormers and accent roofs may have a reduced pitch of no less than 3:12, to achieve certain architectural styles.
 - 8.13.6.3 All shingles shall be dimensional shingles. 3-tab shingles are prohibited.
- 8.13.7 Windows: All Dwellings shall meet the following requirements:
- 8.13.7.1 Front elevations shall each have a minimum of sixteen (16) square feet in window area, and a minimum of two (2) windows. For front elevations with a single window on the main living façade, the single window shall have shutters.

- 8.13.7.2 Side elevations shall have an aggregate square footage of a minimum of sixteen (16) square feet window area, with a minimum of four (4) square feet on each side. Side elevations facing a street on Corner Lots shall have a minimum of two (2) windows.
- 8.13.7.3 Rear elevations shall have a minimum of sixteen (16) square feet in window area, and a minimum of two (2) windows.
- 8.13.7.4 For purposes of the above calculations, windows in dormers, gables, front doors, service doors, and a garage door with windows, shall each qualify as one (1) window.
- 8.13.8 Driveway Length: All Dwellings shall have a minimum of twenty (20) feet between the edge of the sidewalk closes to the Dwelling and the garage.
- 8.13.9 Front Porch: All Dwellings shall have a front porch a minimum of thirty (30) square feet or a minimum of six (6) feet in depth.
- 8.13.10 Front Doors: The front door of all Dwellings shall face the street on which the Lot is located.
- 8.13.11 Illustrative Architectural Elevations. The elevations of homes attached hereto as Exhibit M illustrate conceptually the elements and anticipated character of for the architecture and design of Dwellings in the Sagebriar PUD District. The elevations are intended to set a benchmark for the architecture and design, and final Dwellings may vary.
- 8.14 Section 10-03-15 Telecommunications Facilities. The provisions of *Section 10-03-15* of the UDO shall apply to the Sagebriar PUD District
- 8.15 Section 10-03-16 Specific Uses Standards. The provisions of *Section 10-03-16* of the UDO shall apply to the Sagebriar PUD District, except as modified below:
 - 8.15.1 All detached single-family homes shall require a minimum of twelve (12) feet of separation between neighboring detached single-family homes, which shall be measured from the nearest wall of the primary structure.
- 8.16 Section 10-03-17 Planned Unit Development (PUD). The provisions of *Section 10-03-17* of the UDO shall apply to the Sagebriar PUD District, except as modified in this PUD Ordinance, including the modification or supplementing of Sections 10-03-06 through 10-03-07.

Section 9. Amenities and Open Space.

- 9.1 Clubhouse. A minimum ten thousand (10,000) square feet clubhouse shall be constructed on the Real Estate, which shall include a fitness center, pool, community room, bocce ball courts, tennis or pickle ball courts, outdoor kitchen

and a dog park. The location shall be within the Amenity Area, as generally shown on the Preliminary Site Plan.

- 9.2 Pocket Parks. Pocket parks shall be developed in the location and size as shown on the Preliminary Site Plan. Each pocket park shall be installed as part of any adjacent phase or section of Dwellings.
- 9.3 Trails/Paths. Trails shall be installed in the common areas of the Sagebriar PUD District in the locations generally shown on the Preliminary Site Plan. Internal Trails shall be a minimum of eight (8) feet in width and be paved with asphalt. The trail along Five Points Road shall be a minimum of ten (10) feet in width and be paved with asphalt.
- 9.4 Common Areas. Common Areas shall be installed generally as shown on the Preliminary Site Plan and may include, but shall not be limited to, perimeter landscaping, open space, conservation, detention, retention, utilities, amenities and drainageways.
- 9.5 Open Space. *Section 10-03-17(C)(5)* of the UDO shall apply to the Sagebriar PUD District.

Section 10. Street Design. *Section Sec. 10-06-02 and 10-06-05* of the UDO shall apply to the Sagebriar District except as provided below:

- 10.1 Blocks. There shall be no maximum block length for residential use.
- 10.2 Streets. Streets shall be installed as generally shown on the Preliminary Site Plan. There shall be a minimum of two (2) entrances off of Five Points Road. There shall be one (1) stub street to the north property line. No stub streets shall be required to the east or south property lines.

Section 11. Model Homes. *Section 10-06-28* of the UDO shall apply to the Sagebriar District except as provided below:

- 11.1 Conditional ILP Term. The conditional ILPs for a Model Home shall be valid for three years and shall automatically renew until Dwellings on all Lots in the Sagebriar PUD District have been sold by a builder.
- 11.2 Model Home Parking Lot. A temporary parking lot on one or more Lots occupied by a Model Home may be installed. The parking lot shall be removed as soon as reasonably possible after the Dwelling is no longer used as a Model Home.
- 11.3 Number of Model Homes. Two Model Homes per series of home design shall be permitted.

Exhibit A

Legal Description

Part of the West Half of Section 25, Township 14 North, Range 4 East, Clark Township, Johnson County, Indiana, more particularly described as follows:

Beginning at the Southwest corner of the Northwest Quarter of Section 25, Township 14 North, Range 4 East, Clark Township, Johnson County, Indiana; thence North 00 degrees 17 minutes 27 seconds East (assumed bearing - measured) on the West line of said Northwest Quarter 323.39 feet to a P.K. Nail at the Northwest corner of the 20 acres of equal width off the South end of said Northwest Quarter as described in Deed Book 204, Page 231 in the Office of the Recorder of Johnson County, Indiana; thence North 89 degrees 32 minutes 43 seconds East on the North line of said 20 acres a distance of 2694.27 feet to a 5/8 inch rebar on the East line of said Northwest Quarter; thence South 00 degrees 19 minutes 38 seconds West on the East line of said Northwest Quarter 323.39 feet to the Northeast corner of the Southwest Quarter of said Section 25; thence South 00 degrees 22 minutes 27 seconds West on the East line of said Southwest Quarter 2688.13 feet to the Southeast corner of said Southwest Quarter; thence South 89 degrees 08 minutes 16 seconds West on the South line of said Southwest Quarter 2676.76 feet to the Southwest corner of said Southwest Quarter; thence North 00 degrees 00 minutes 00 seconds East on the West line of said Southwest Quarter 2701.96 feet to the Point of Beginning; containing 185.97 acres, more or less.

Exhibit B
Preliminary Site Plan

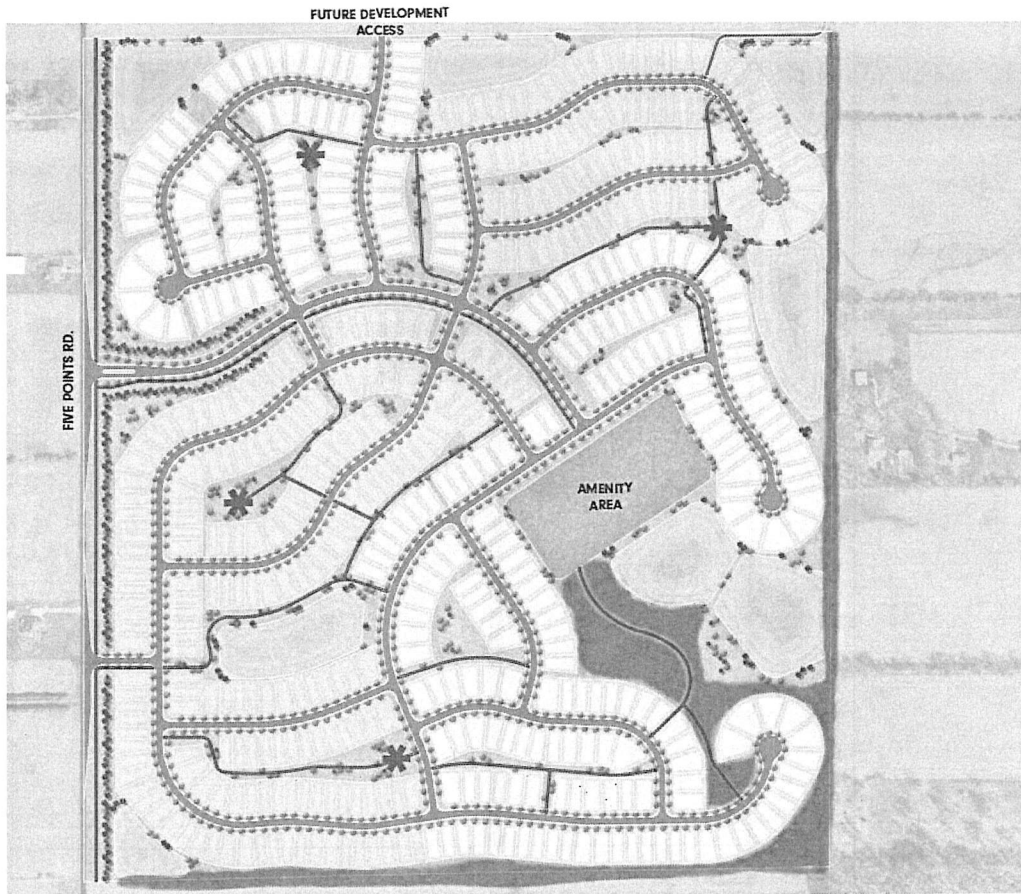


Exhibit C
Pole Banner Signs - Example

22100 - Kimblewick Banners (Towne Rd)

PMS 540c

PMS 298c

White

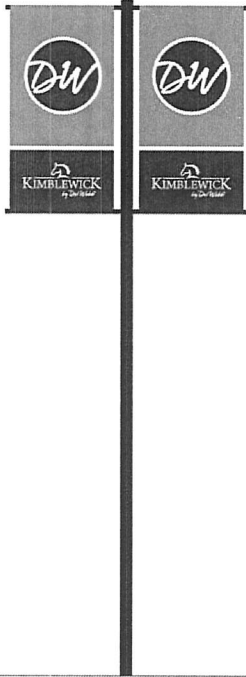
Date: 1/20/21

Indianapolis, IN 462

317-788-0202 (Office)

317-788-1579 (Fax)

SL



Quantity: 10 set-ups

Finished Size: 24"w x 48"h


Image Process: CET Print | No Bleed

Laminate: None

Sides: Double

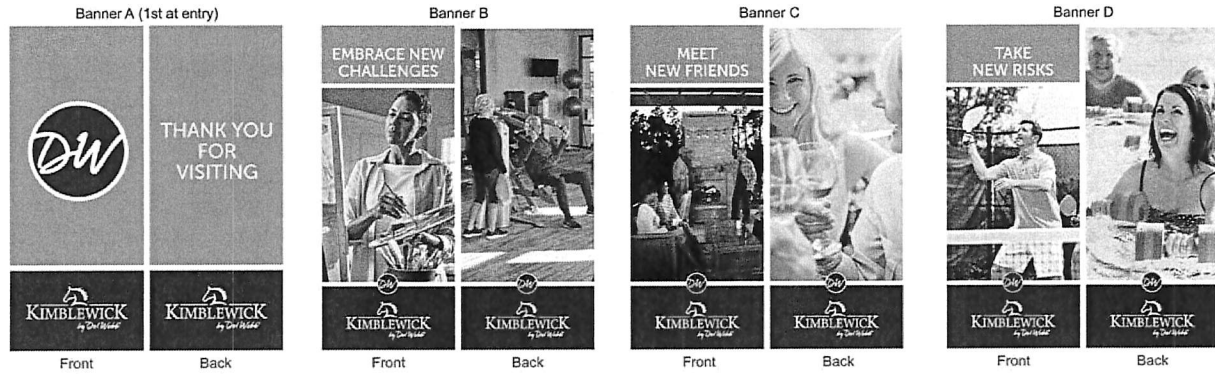
Substrate: 18oz Opaque Banner

Mount: 16' Banner Pole

Approved  : _____ | Date: _____

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Pole Banners-Towne Rd.fs

Exhibit D
Pole Banner Signs– Banner Example



Quantity: 4 (1 each of 4)
Finished Size: 24"w x 58.5"h
Image Process: CET Print | No Bleed
Laminate: None
Sides: Double
Substrate: 18oz Opaque Banner
Mount: 3" Sewn Pockets for 1" Arms

Approved *X* _____ | Date: _____
Artwork File Name: N:/Builders/Del Webb/Kimblewick/Light Pole Banners.fs

Exhibit E

Monument Sign (Neighborhood Identification Sign) Examples

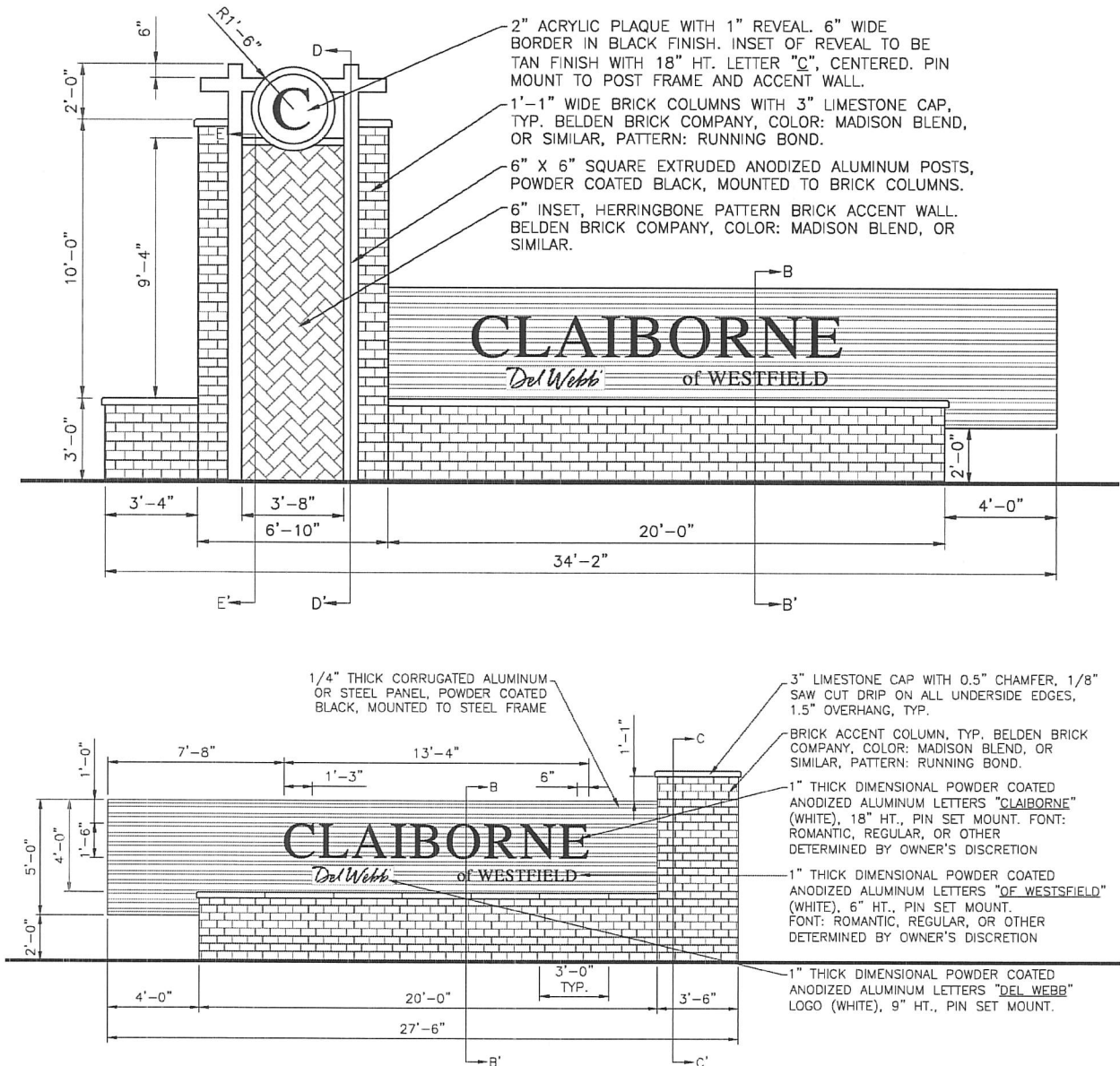


Exhibit F
Way Finding Sign - Example

21735 - Kimblewick Directional (6)

Date: 10/29/20

PMS 540c

PMS 298c

White

17.75"

23.75"

48"

MODEL PARK
and
SALES CENTER






KIMBLEWICK
by David Webb

Quantity: 1

Finished Size: 17.75"w x 23.75"h

Image Process: CET Print | 1/16" bleed

Laminate: Gloss

Sides: Single

Substrate: Alumium

Mount: 2" Aluminum Posts


Approved  : _____

Artwork File Name: N:/Buil

Exhibit G

Model Home [Sales Center Sign] Example

21735 - Kimblewick Sales Center (1)



Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)


Date: 1/8/21

PMS 540c

PMS 298c

White

SLK




59"

41.75"


4"

48"


SALES CENTER



Monday - Saturday 10am-5pm
Sunday 11am-5pm


KIMBLEWICK
by Del Webb

Quantity: 1
Finished Size: 59"w x 41.75"h
Image Process: CET Print
Laminate: Gloss
Sides: Double Panel
Substrate: Aluminum
Mount: 4" Aluminum Posts | 3" Cross Support

Approved  : _____ | Date: _____

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Sales Center 59x42.fs

Exhibit H

Model Home [Model Identification] Example

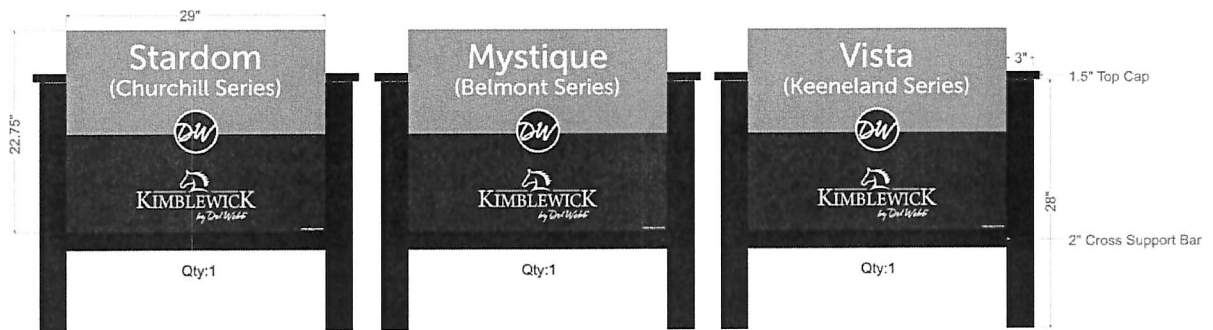
21735 - Kimblewick Model ID (2)



Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)

SLK

Date: 10/29/20



Quantity: 3 (1 each of 3)
Finished Size: 29"w x 22.75"
Image Process: CET Print
Laminate: Gloss
Sides: Double Panel
Substrate: Aluminum
Mount: 3" Aluminum Posts | 2" Cross Support

Approved *X* : _____ | Date: _____

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Model ID 29x23.fs

Exhibit I
Model Home [Model Parking] Example

12"x18" Future Homeowner Post & Panel Signs

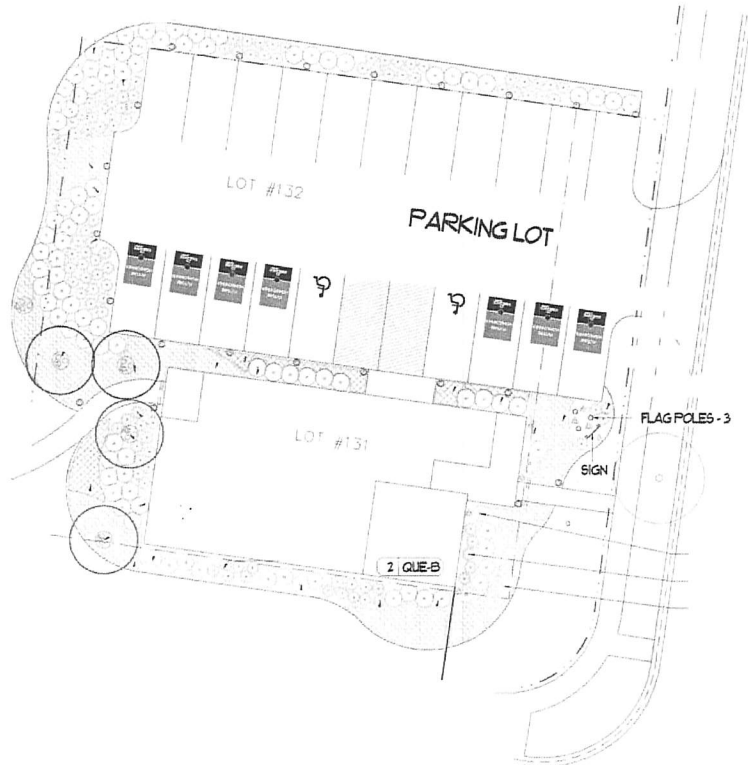
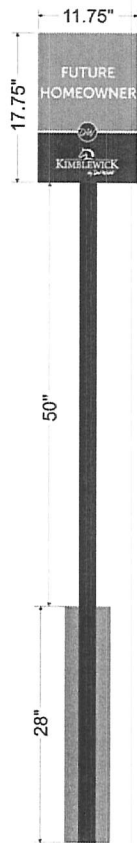


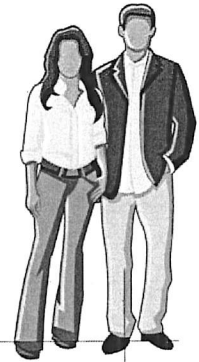
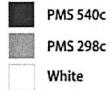
Exhibit J
Amenity Ground Sign - Example

21735 - Kimblewick Amenity Sign (5)



Indianapolis, IN 46203
317-788-0202 (Office)
317-788-1579 (Fax)
SLK

Date: 1/27/21




Quantity: 1
Finished Size: 192"w x 96"h
Image Process: CET Print | 1/16" bleed
Laminate: Gloss
Sides: Double Panel
Substrate: Aluminum
Mount: 4"x6"x13ft Cedar Posts Stained Black

Approved *X*: _____ | Date: _____

Artwork File Name: N:/Builders/Del Webb/Kimblewick/Amenity Sign.fs

Exhibit K
Amenity Boulevard Sign – Examples

21735 - Kimblewick Blvd Signs (3)

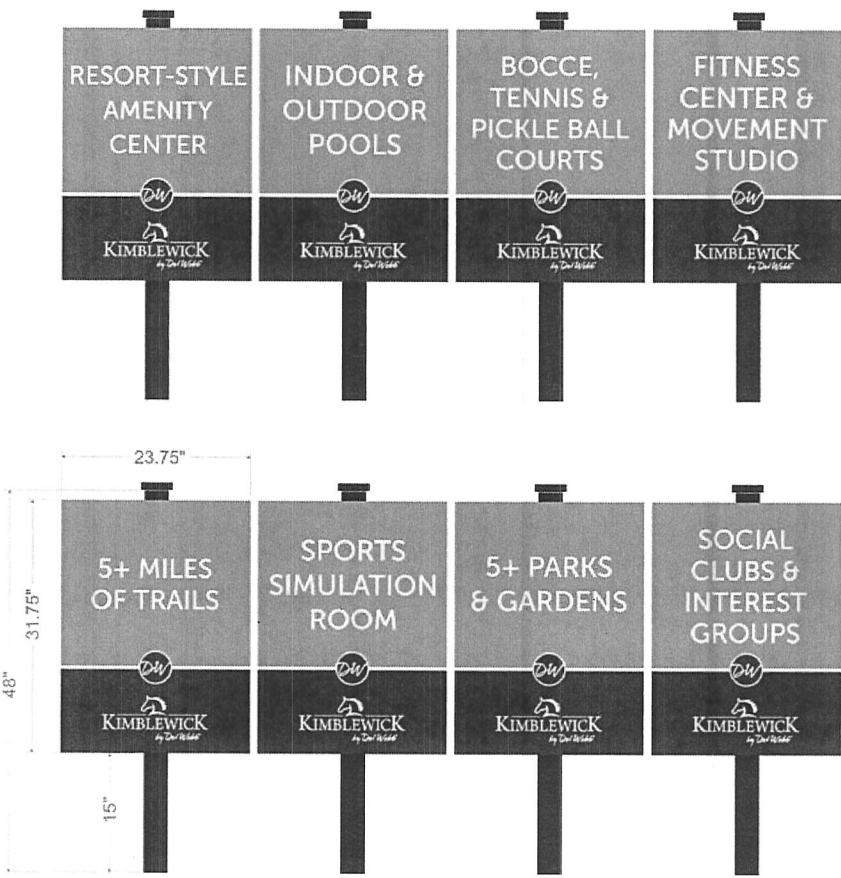


Date: 1/8/21

PMS 540c

PMS 298c

White



Quantity: 8 (1 each of 8)

Finished Size: 23.75"w x 31.75"h


Image Process: CET Print

Laminate: Gloss

Sides: Double Panel

Substrate: Alumium

Mount: 3" Aluminum Posts

Approved  : _____

Artwork File Name: N:/Builders/Del Webb/Kimblewic

Exhibit L

Marketing Entrance Identification Signs – Examples



Exhibit M

Del Webb Illustrative Elevations



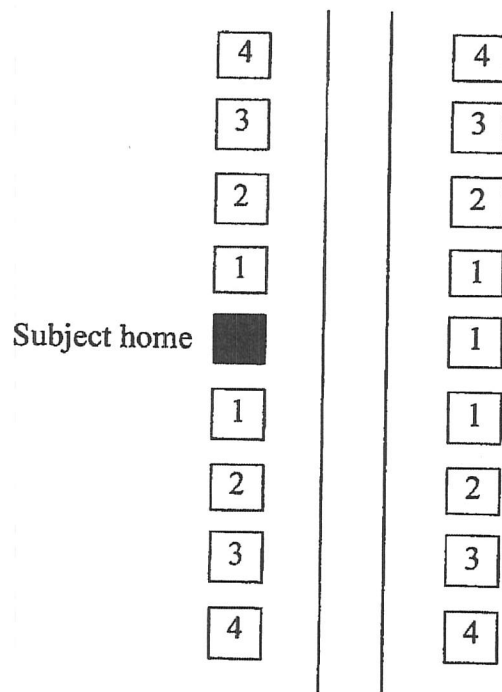
Exhibit M
Del Webb Illustrative Elevations



Exhibit N
Anti-Monotony Exhibit



MONOTONY CODE GRAPHIC



- 1

 Home cannot be of the same elevation of the same plan as the Subject home. Must be a different color package.
- 2

 Home cannot be of the same elevation of the same plan as the Subject home. Cannot be the identical color package as the Subject home but may have the same brick.
- 3

 Home may be of the same plan and elevation as the Subject home, but must be a different color package.
- 4

 May be identical to Subject home.