

**Department of Public Works
Requested Commitments for 2005-ZON-077
1405, 1445, 1501 N. High School Road**

GENERAL INFRASTRUCTURE COMMITMENTS:

All development of the site shall comply with the City of Indianapolis Department of Public Works Standards for the Design and Construction of Sanitary Sewers.

All development of the site shall comply with the City of Indianapolis Stormwater Design and Construction Specifications Manual.

The Developer shall bear all costs associated with the relocation of any existing municipal infrastructure located within or necessitated by the Development. Further, all relocations of municipal infrastructure owned or operated by the Department of Public Works, shall be in full compliance the City of Indianapolis Department of Public Works Standards for the Design and Construction of Sanitary Sewers and the City of Indianapolis Stormwater Design and Construction Specifications Manual.

All development of the site shall comply with the City of Indianapolis Standards for Street and Bridge Design and Construction and the Standards for Acceptance of Streets and Bridges.

At the discretion of the Department of Public Works (DPW), all infrastructure development plans shall be subject to review and comment by DPW prior to the issuance of a construction permit.

STORM WATER MANAGEMENT COMMITMENTS:

Storm water conveyance systems constructed for the proposed development shall be designed and constructed to accommodate offsite watersheds with a connection point or points of adequate size and depth for the properties contained in or comprising the off-site watershed areas. The Development's storm water conveyance systems shall be designed to accommodate water runoff attributable to future development in the offsite watersheds. The nature of the future development shall be that projected by the comprehensive land use plan for Marion County adopted by the Metropolitan Development Commission or that allowed by current zoning districts, whichever reflects the more intense use. The amount of water runoff attributed to such future development shall be determined in compliance with the City of Indianapolis Stormwater Design and Construction Specifications Manual and shall not assume use of retention-detention systems in the offsite watersheds.

There shall be no increase in storm water flows or storm water flow duration to existing private or municipal storm water conveyance systems adjacent to, abutting or serving the development unless the storm water conveyance systems are adequately designed, configured and constructed or reconstructed to fully accommodate the storm water flow. Storm water conveyance system construction/reconstruction will be to a point beyond the limits of the Development such that the storm water conveyance system accommodates:

1. The water runoff from the Development after development; plus
2. The present water runoff from developed areas upstream; plus
3. The present water runoff from undeveloped areas upstream; plus

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4. The present and projected future water runoff of those areas through which the sewer system passes. The projected future water runoff will be as determined by the Department of Public Works.

In the event that construction/reconstruction of the storm water conveyance system(s) beyond the limits of the Development is technically infeasible as determined by the Department of Public Works using accepted engineering practice and methodologies, storm water runoff from the Development must be diverted from the receiving storm water conveyance system(s) by the Developer to a storm water conveyance system or systems which fully accommodate the storm water flow. The quantity of storm water flow to be diverted from the receiving storm water conveyance system(s) will be as determined by the Department of Public Works.

Developer shall address and correct all existing storm water problems, by way of example but not limited to, standing water in the roadway, right-of-way and deficient existing storm water conveyance systems, along both sides of North High School Road for the length of roadside frontage of the development. Said correction shall be in full compliance with the City of Indianapolis Stormwater Design and Construction Specifications Manual.

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**AMENDED STATEMENT OF PERMITTED USES AND
DEVELOPMENT STANDARDS**

A. **PROJECT**

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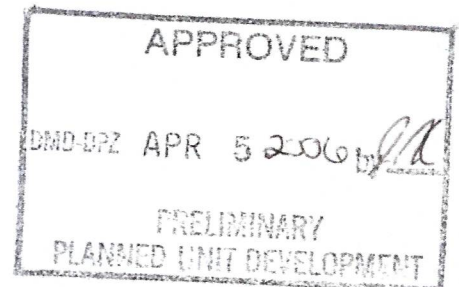
Docket No.: 2005-ZON--077 (2005-DP- 004)

Common Address: 1405 AND 1455 N. High School Road

Request: Rezoning of 21.7 acres, being in the D-3 and SU-34 Districts to the D-P Classification to provide for a maximum of one hundred and five (105) units as identified on the Illustrative Site Plan prepared by Weaver Design Group, filed January 9, 2006. This Amended Statement shall supercede the Statement filed January 9, 2006 with the Department of Metropolitan Development.

B. **PERMITTED PRIMARY USES**

1. Attached multi-family and two-family dwellings



C. **DEVELOPMENT STANDARDS**

1. **Illustrative Site Plan.** The real estate shall be developed into "lots" in substantial conformity with the Site Plan prepared by Weaver Design Group, filed January 9, 2006. Density within the Community shall be limited to a maximum of one hundred and five (105) units, all in a maximum of 35 buildings with not more than three units in each building. Each building will be located on a lot, for a total of 35 conditional lots. After development, each unit will be final-platted into individual lots, for a total of 105 lots. Each final-platted lot may be coterminous with the dimensions of the individual unit (i.e. Lots 1A, 1B and 1C) or it may be configured to include the required front, side or rear yards. Common area or limited common area may be provided for during platting and may include areas directly adjacent to and adjoining the units.
2. **Elevation Drawings.** The multi-family or two-family buildings proposed for construction shall have front exterior elevations which substantially conform to the elevation drawings to be filed with the Department of Metropolitan Development.
3. **Tree Preservation.** A Tree Preservation Plan shall be prepared and submitted to the Administrator for approval prior to the issuance of an Improvement Location Permit with respect to the preservation of trees in the areas identified as "Preservation Areas" on the Illustrative Site Plan.

4. **D-6 and Other Development Standards.** Development shall be subject to the Development Standards within the D-6 Dwelling District 6 Regulations, Section 2.09 B, of the Dwelling Districts Zoning Ordinance of Marion County, Indiana 89-AO-2 (G.O. 100, 1989) as amended, which are hereby incorporated by reference and shall control development of the Real Estate, with the following exceptions and/or additions:

- (a) Two-family dwellings shall be a permitted primary use.
- (b) All streets within the Development shall be private.
- (c) Parking of motor vehicles shall be permitted on one side of the private streets and the other side shall be posted with "no parking" signs. Parking of motor vehicles shall also be permitted on driveways extending to and within garages included as a part of each multi-family or two-family dwelling notwithstanding the fact it will result in parking which is less than six feet (6') from a building.
- (d) The private streets shall be a minimum of twenty-eight feet (28') in width, including gutters, curbing and any medians or landscaped islands.
- (e) A minimum of 18' shall be maintained as a front building setback along the private streets within the Development.
- (f) A minimum of 20' shall be maintained as a rear building setback, however, a setback shall be treated as a side building setback where the rear of a building faces the side of another building.
- (g) Driveways and Interior access drives may be located closer than ten (10) feet to another structure.

Dated: March 1, 2006

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