



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Board of Zoning Appeals – Fishers

DATE: 12/18/2024 at 6:00 PM

**DIRECTIONS: FMC Nickel Plate Conference Room ,
1 Municipal Drive, Fishers, IN 46038**

Members of the public may [submit comments online](#) before 12pm on the day of the meeting.

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should [email Kelly Lewark](#), Office Manager, no later than 48 hours before the scheduled event or call at (317) 595-3487.

1. Call to order / Pledge of Allegiance

2. Roll Call

3. Approval of Previous Minutes

- a. 11-20-24 Minutes

4. Public Hearings

a. Macs Convenience Stores LLC Variance

Parcels: 15-10-35-00-00-017.001

Address: 11601 Allisonville Road

Case: VA-24-16

Request: Consideration of a Development Standards Variance from Section 6.17.6. E. Ground Signs Located on Lots with Non-Residential Uses. to allow digital changeable copy on two (2) monument signs and Section 6.17.7.E. Awning & Canopy Signs to allow digital changeable copy on the fuel station canopy. **CONTINUED FROM JULY, AUGUST, AND OCTOBER**

Petitioner: Karen Dodge (karen.dodge@municipalresolutions.com)

Planner: Ross Hilleary (hillearyr@fishers.in.us)

b. Eman School Variance

Parcels: 15-11-31-00-06-001.000

Address: 12115 Visionary Way

Case: VA-24-24

Request: Consideration of a Land Use Variance from Section 4.2.3 I-69-OL Interstate-69 Overlay District of the City's Unified Development Ordinance (UDO); to allow an Institutional Use within the overlay.

Petitioner: Andrew Horton (regulatory@schmidt-arch.com)

Planner: Kevin Martín (martinke@fishers.in.us)

c. Bent Grass Marketplace Variance

Parcels: 15-11-19-00-67-001.000

Address: 13682 Bent Grass Lane

Case: VA-24-26

Request: Consideration of a Development Standard Variance from Section 5.4.8.D.2.b of the City's Unified Development Ordinance (UDO) to allow a drive-up window, exterior menu board, and speakers, associated with a restaurant or coffee house, within 400 feet of any building zoned or used for residential purposes.

Petitioner: Mark Leach (mark.leach@faegredrinker.com)

Planner: Christy Cashin (cashinc@fishers.in.us)

5. Old Business

6. New Business

7. Staff Communication

8. Board Signatures – Findings of Fact

9. Adjournment

**CITY OF FISHERS
BOARD OF ZONING APPEALS
MINUTES
FISHERS Municipal Center - Nickel Plate Conference Room
November 20, 2024**

The Board of Zoning Appeals convened at 6:00 p.m.

A roll call was taken. Members present: Jeffrey Silvey, Greg Lannan, Tom Grinslade, Howard Stevenson. Steve Ferrucci was not present.

Others present: Ross Hilleary, Rachel Conner from Kreig DeVault, Kay Prange, Gabrielle Herin, Jonathan Hudson, Matt and Danessa Zirkelbach.

Mr. Stevenson confirmed quorum and called the meeting to order.

Mr. Stevenson asked for a Motion for the approval of the previous minutes. Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. The Minutes were approved, 4-0.

a. Public Hearings:

13599 Lake Ridge Ln – Zirkelbach Pool

Parcel: 13-15-11-00-18-045.000

Address: 13599 Lake Ridge Ln

Case: VA-24-21

Request: Consideration of a Development Standards Variance from the Unified Development Ordinance Section 3.2.3.B to increase the maximum allowed impervious surface area from 35% to 45% for a proposed pool deck.

Petitioner: Jonathan Hudson (jonathan@hudson-collc.com)

Planner: Gabrielle Herin (hering@fishers.in.us)

Jonathan Hudson presented the Variance request to increase impervious surface coverage from 35% to 45%. The HOA states that they are in compliance with Springs of Cambridge standards.

Ross Hilleary presented the Staff Report. Fishers Storm Water has approved- drainage goes to Geist. There have been no comments from the neighbors. Staff has no recommendation for the Board.

Mr. Stevenson opened the Public Hearing. As there was no one from the Public to speak on the matter, he closed the Public Hearing. He confirmed that the adjacent property owners were in agreement, and that was confirmed.

Mr. Stevenson asked for any further Committee discussion. Seeing none, he asked for a Motion. **Mr. Grinslade made a Motion to approve, seconded by Mr. Silvey. The Motion to approve, with the letter of approval recorded with the County, was approved, 4-0.**

Staff Communication: 2025 Meeting Schedule was presented.

Adjournment As there was no other business, the meeting was adjourned at 6:08 p.m.

Respectfully Submitted by:

Kay Prange, Recording Secretary



Board of Zoning Appeals Staff Report

Meeting Date: December 18, 2024

DEPARTMENT CONTACT: Ross Hilleary (hillearyr@fishers.in.us)		CASE NUMBER: VA-24-16
PETITIONER: Karen Dodge (karen.dodge@municipalresolutions.com)		PROPERTY ADDRESS/LOCATION: 11601 Allisonville Road Fishers, IN 46038
REQUEST: Consideration of a Development Standards Variance from Section 6.17.6. E. Ground Signs Located on Lots with Non-Residential Uses. to allow digital changeable copy on two (2) monument signs and Section 6.17.7.E. Awning & Canopy Signs. to allow digital changeable copy on the fuel station canopy. CONTINUED FROM JULY, AUGUST, & OCTOBER		
APPLICABLE REGULATIONS: Unified Development Ordinance (UDO)	EXISTING ZONING: C3 - Commercial	FISHERS 2040: Regional Mixed Use
LOT SIZE: .91 Acres		

LOCATION MAP



STAFF RECOMMENDATION

☐ Approve, with Condition ☐ Continue ☒ Deny ☐ No Recommendation

Meeting Date: October 23, 2024

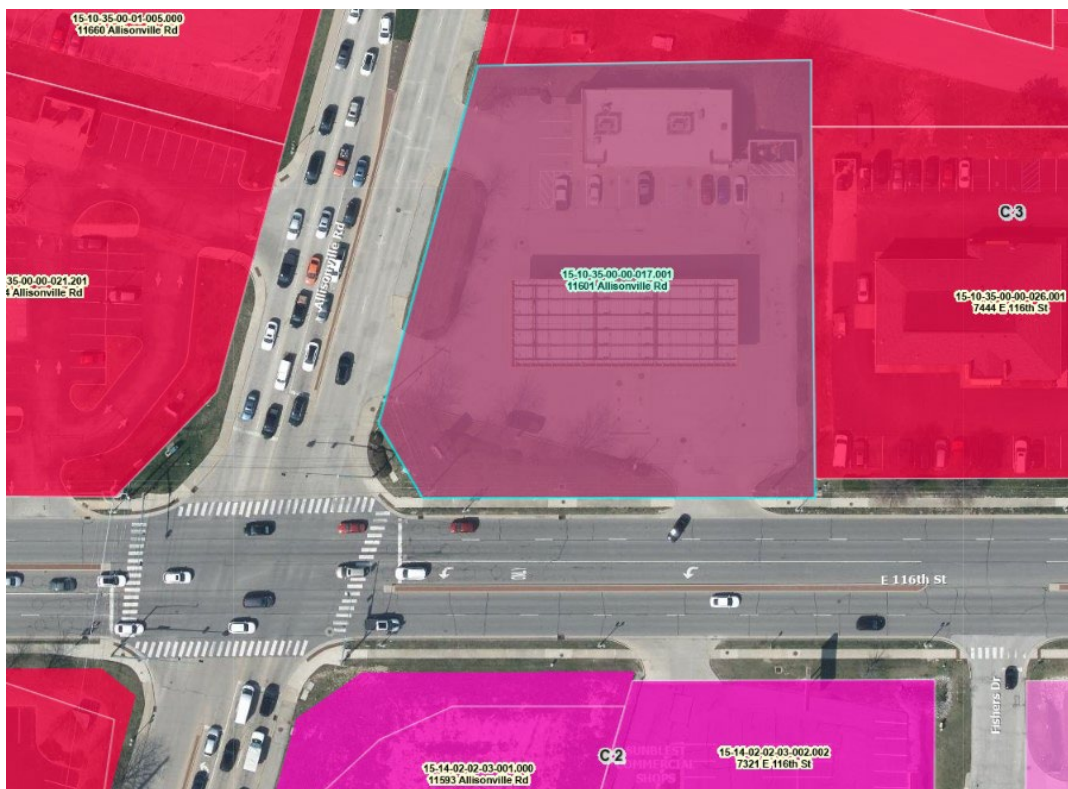
Case Number: VA-24-16

ZONING HISTORY:

This property is zoned C3 – Commercial under the City of Fishers Unified Development Ordinance. The current building was constructed in 2007. The fuel sale use has been on this corner for multiple decades. The Future Land Use Map calls for Regional Mixed Use.

SURROUNDING LAND USE & ZONING:

North: C3 – Commercial (vacant bank, proposed Kroger fuel station)
East: C3 – Commercial (vehicle repair, car sales)
South: C2 – Commercial (vacant, retail center)
West: C3 – Commercial (coffee/donut shop, quick service restaurant)



1. Zoning Map

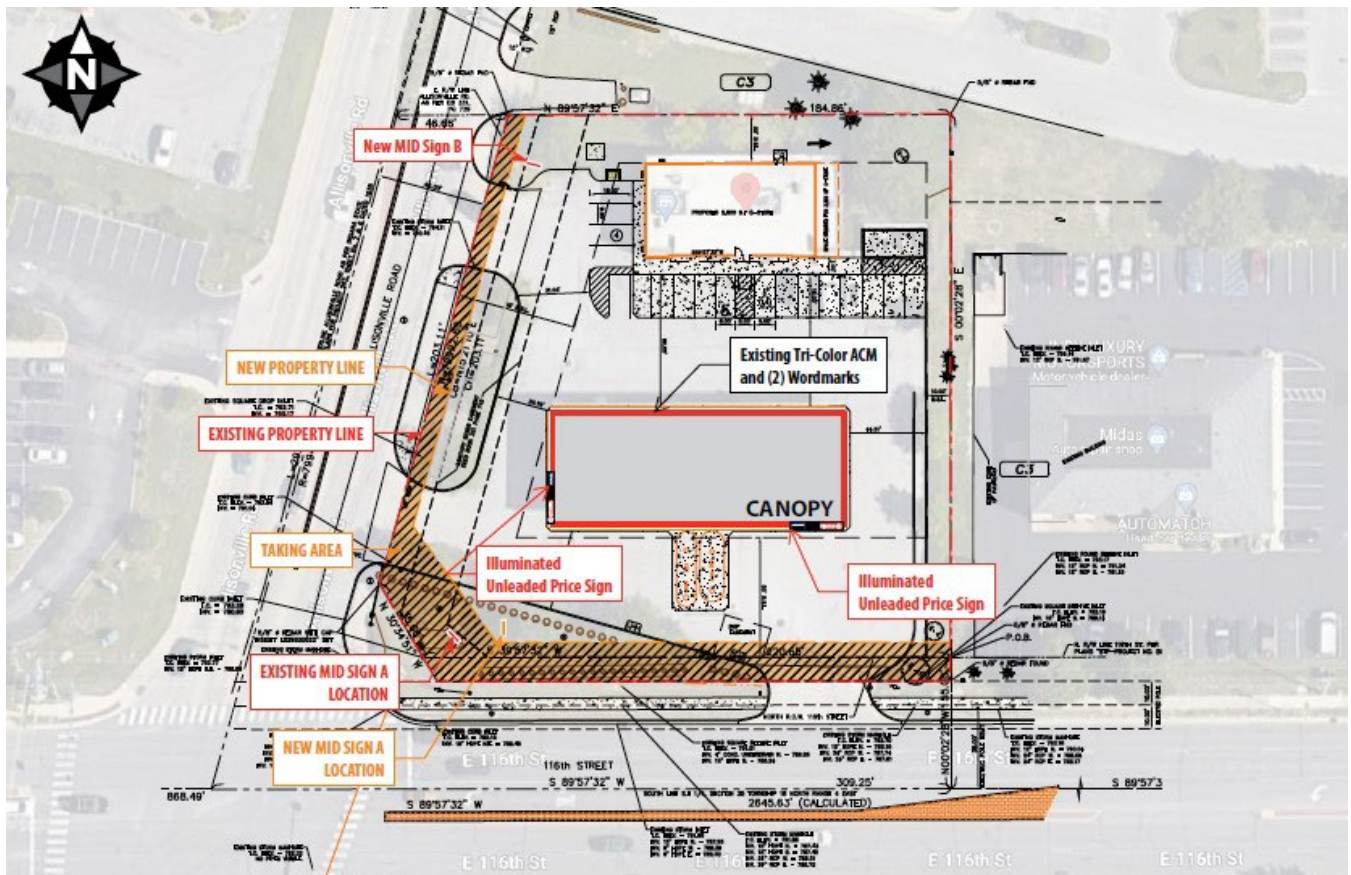
SUMMARY OF PUBLIC COMMENTS:

At the time of writing this Staff Report there has been no public comments.

PETITION OVERVIEW:

Karen Dodge on behalf of Mac's Convenience Store request consideration of a Development Standards Variance from Section 6.17.6. E. Ground Signs Located on Lots with Non-Residential Uses. to allow digital changeable copy on two (2) monument signs and Section 6.17.7.E. Awning & Canopy Signs. to allow digital changeable copy on the fuel station canopy.

The taking of Right-of-Way for intersection improvements at E 116th Street and Allisonville Road requires the removal the legal non-conforming 26' pylon sign.



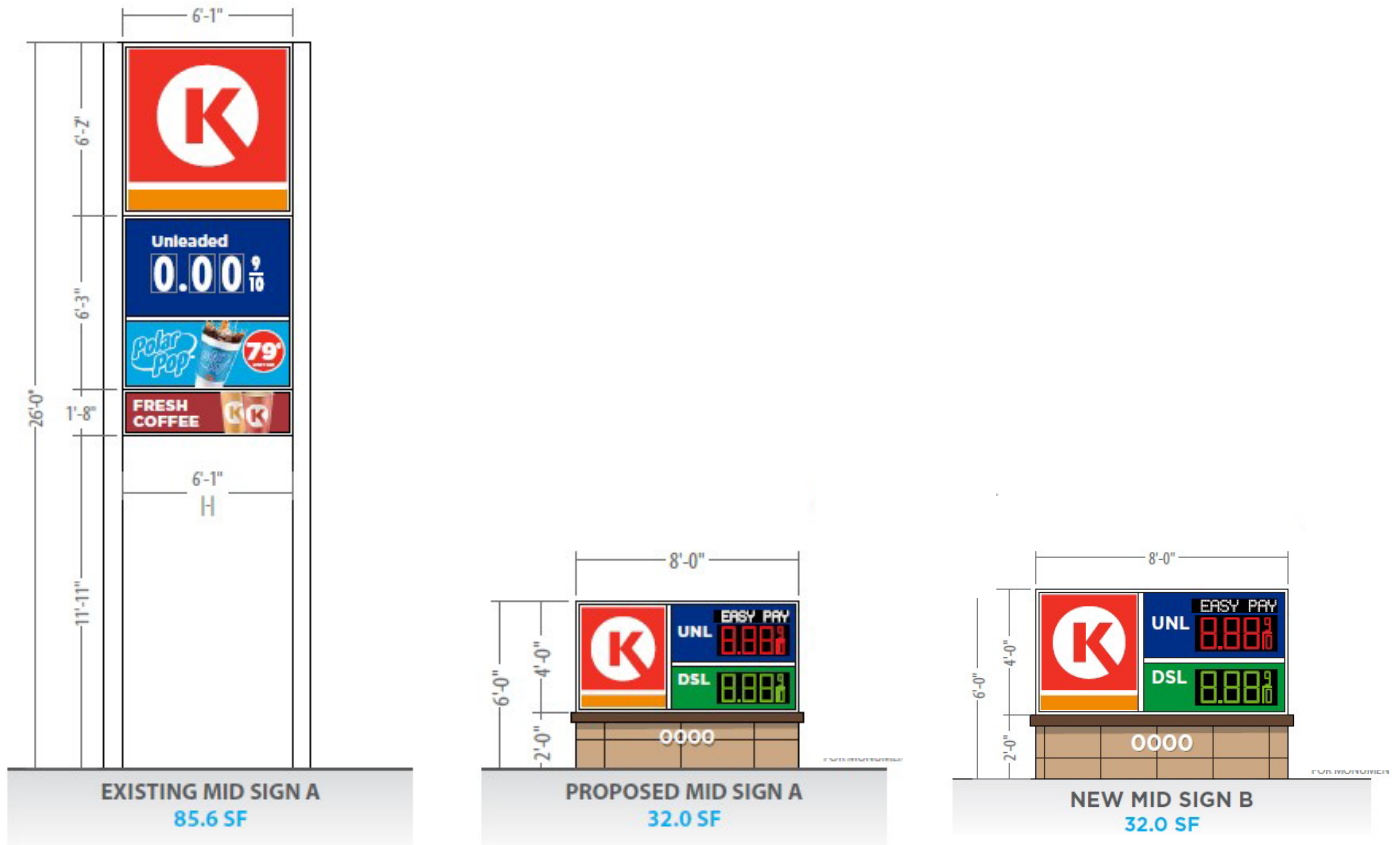
2. Site Plan

Section 6.17.5. Prohibited Sign. A. states that *no sign or other advertising device with visible moving parts or with flashing, animated, or intermittent illumination shall be erected.*

Per 6.17.6.E. Ground Signs Located on Lots with Non-Residential Use they are allowed by right to up to two (2) ground mounted signs or monument signs. Ground Signs may contain an area for changeable copy, which is typically change by hand. The applicant is requesting to have digital changeable copy on both sides of two ground mounted signs.

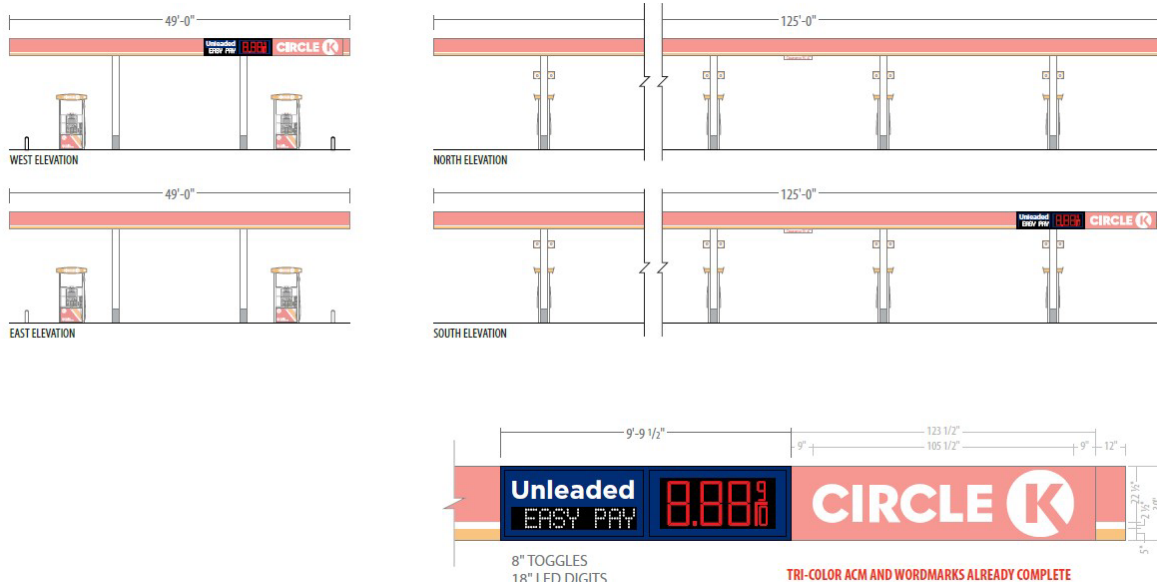
Meeting Date: October 23, 2024

Case Number: VA-24-16



3. Existing pylon sign, new proposed ground mounted signs

Per 6.17.7.E. Awnings & Canopy Signs the applicant is requesting the additional of digital changeable copy on the canopy of the fuel station to be located the west and south elevations.



4. Elevations, including the proposed canopy sign

(317)595-3111

FishersIN.gov

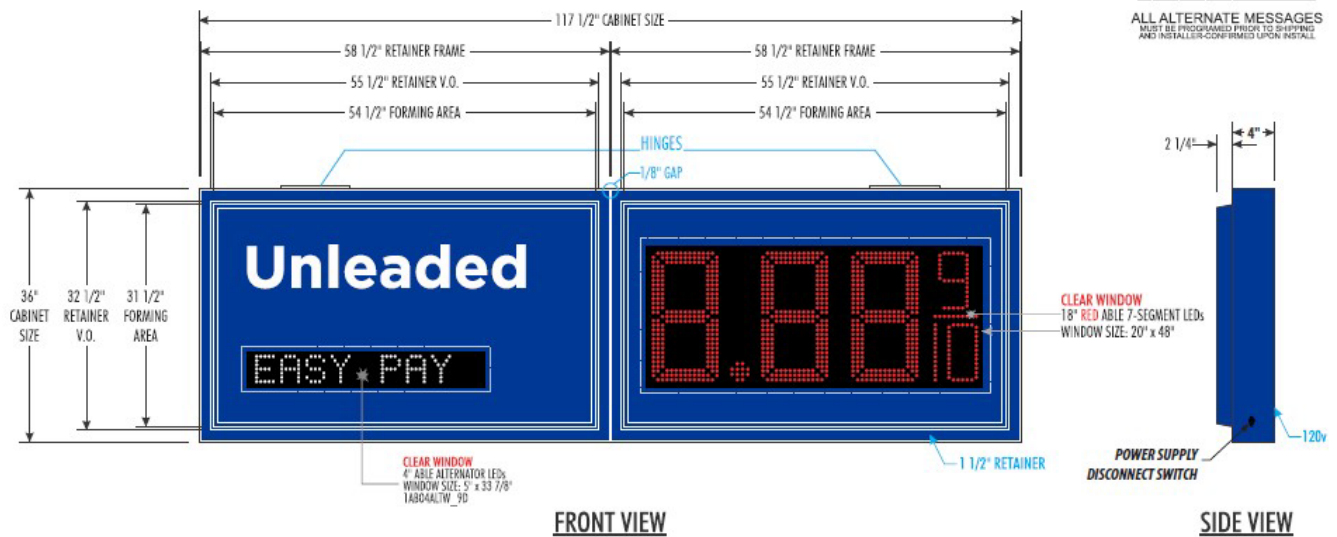
facebook.com/Fishers.Indiana

@FishersIN

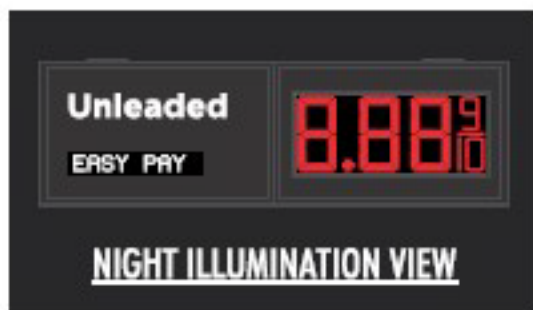
1 Municipal Drive
Fishers, Indiana 46038

Meeting Date: October 23, 2024

Case Number: VA-24-16



5. Proposed canopy sign with changeable copy



6. Proposed canopy sign with changeable copy night illumination view

STAFF RECOMMENDATION:

A variance from Chapter 6.17 Signage Standards may be approved by the Board upon the determination that the Findings demonstrate the following:

1. That the location and placement of the sign will not endanger or distract motorists or pedestrians; and,
2. That the sign will not cover or blanket any prominent view of a structure or facade of historical or architectural significance; and,
3. That the sign will not obstruct views of users of adjacent buildings; and,
4. That the sign will not interfere with the visual quality of public open space ; and,
5. That the sign is compatible with building heights of the existing skyline; and
6. That the sign does not impose a foreign element to an existing skyline; and,
7. That the sign's illumination, lighting or digital character will not distract motorists or pedestrians nor contribute to hazardous or unsafe driving conditions for motorists; and,

Meeting Date: October 23, 2024

Case Number: VA-24-16

8. That the sign size (e.g. height, width, distance between grade and sign, copy size), composition (e.g. materials, posts, poles), lighting or location conditions are consistent with the time, place and manner conditions imposed by the Unified Development Ordinance.

Staff recommends DENIAL of the variance request as proposed.

If the Board approves this Variance Request staff request the follow the following condition, and any others sought by the Board:

1. The Approval Letter and relative documentation be recorded on the property with the Hamilton County Recorder's Office.

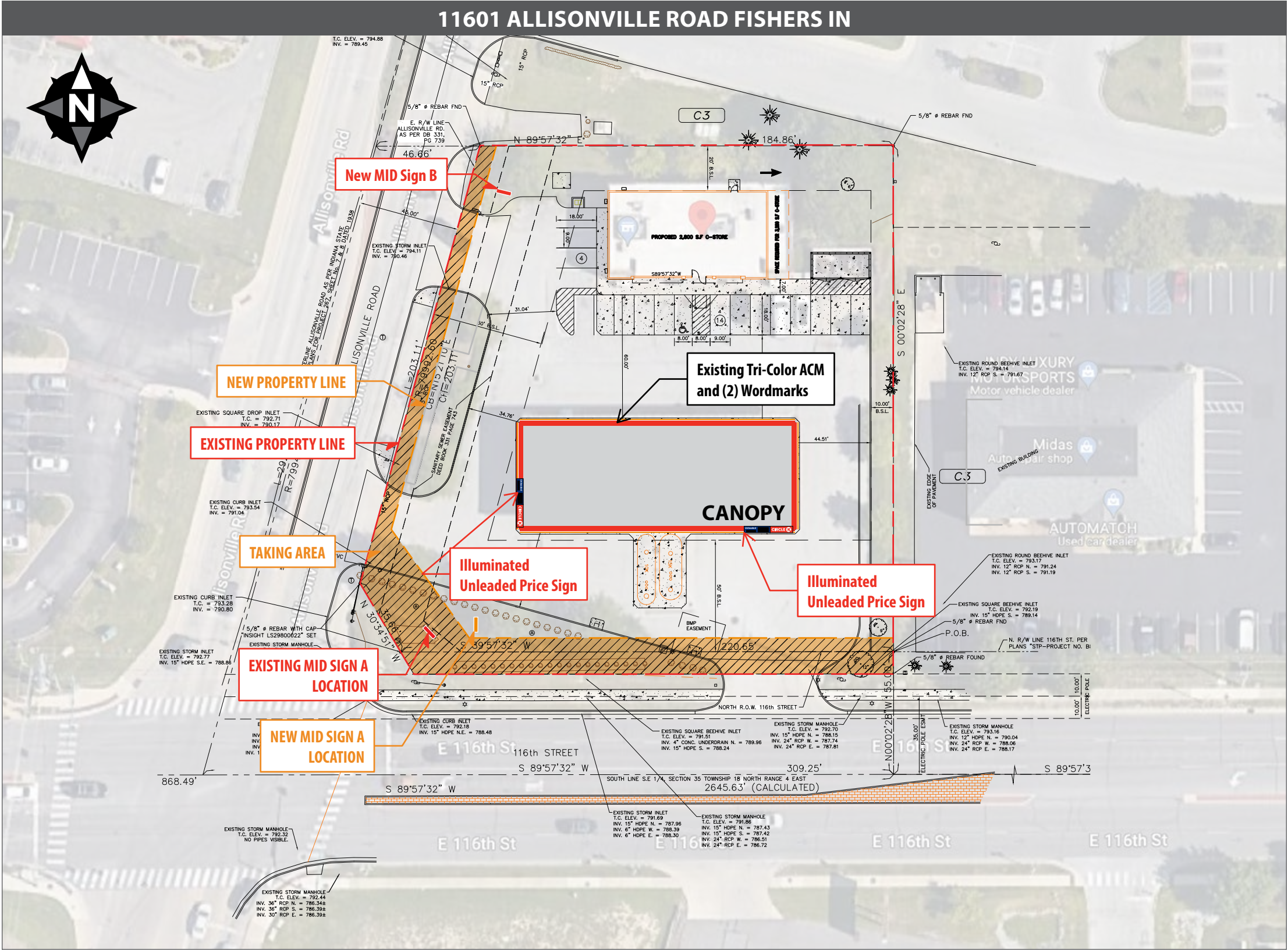
STAFF RECOMMENDATION

☐ Approve, with Condition

☐ Continue

☒ Deny

☐ No Recommendation



**CORPORATE
IDENTIFICATION
SOLUTIONS**

CUSTOMER
CIRCLE K
SITE NUMBER
2285

LOCATION
FISHERS, IN
ACCOUNT REP
BEN DEHAYES

DRAWN BY
MH
DATE
06/12/24

REVISION
02
SCALE
NTS

CORPORATE ID SOLUTIONS
5563 N ELSTON AVE. CHICAGO, IL 60630 P: 773-763-9600 F: 773-763-9606 CORPORATEIDSOLUTIONS.COM

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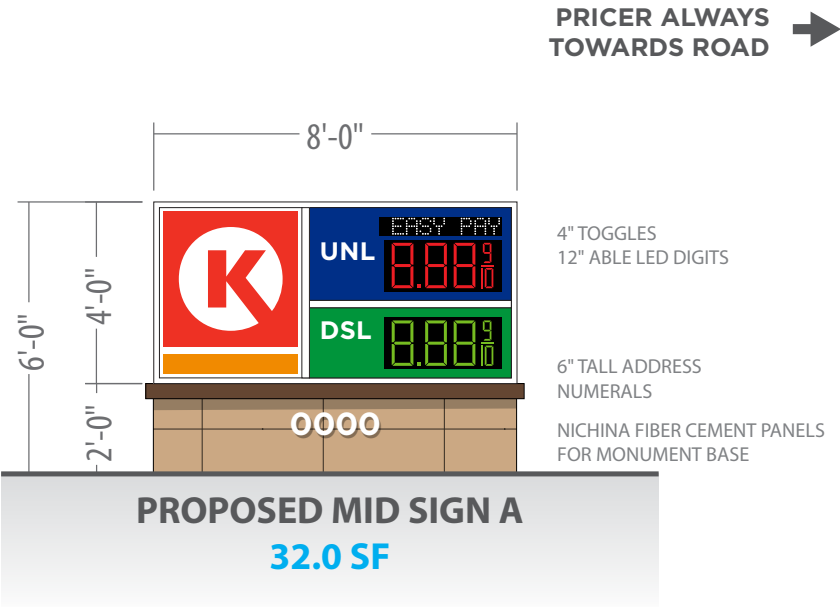
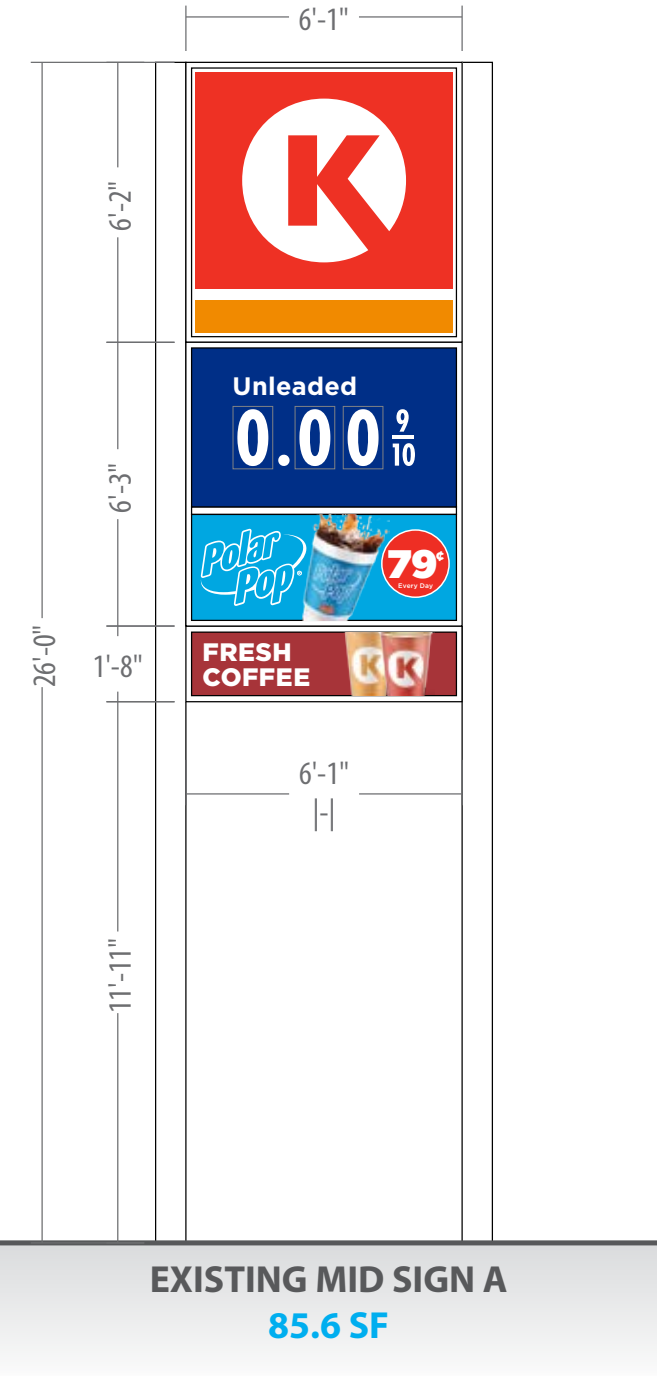


SCOPE OF WORK

- Remove existing Pole Sign
- Manufacture and install new Monument Sign

ARTWORK REFLECTS CURRENT SURVEY

NOTE: VARIANCE WILL BE
REQUIRED FOR LED DIGITS



CORPORATE
IDENTIFICATION
SOLUTIONS

CUSTOMER	CIRCLE K
SITE NUMBER	2285

LOCATION	FISHERS, IN
ACCOUNT REP	BEN DEHAYES

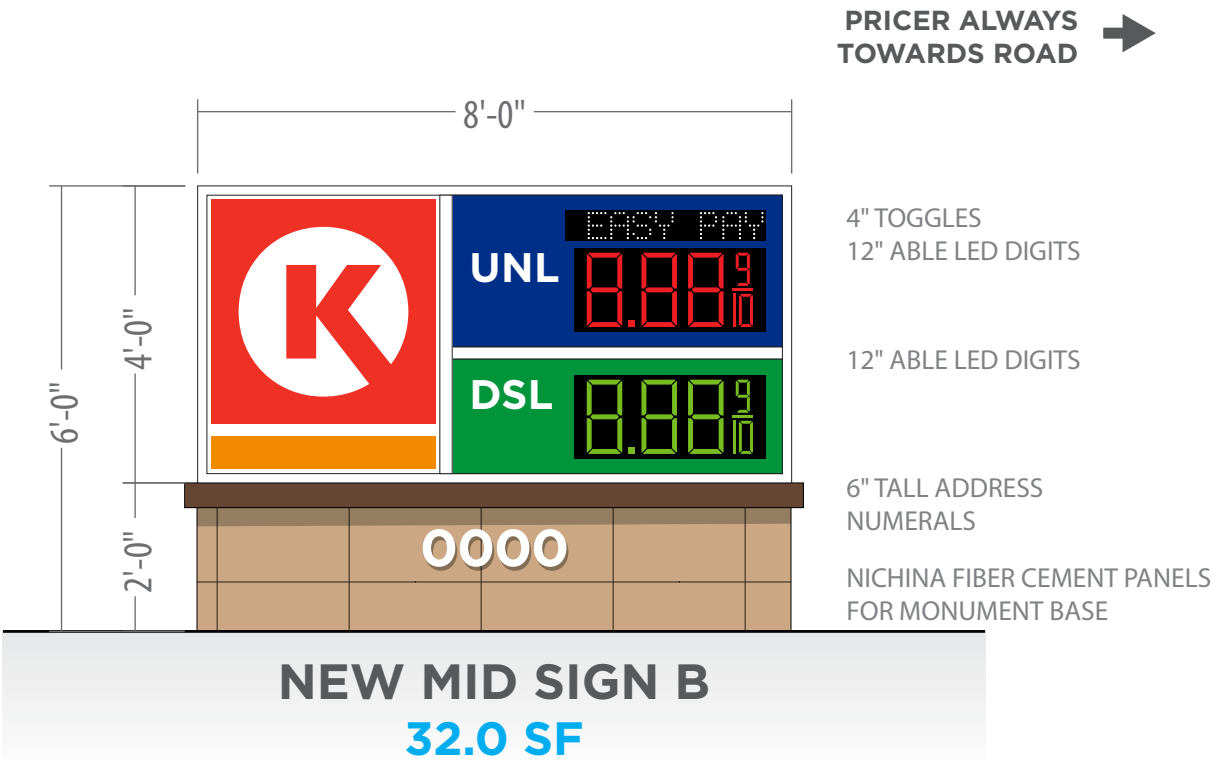
DRAWN BY	MH
DATE	06/12/24

REVISION	NO CHANGE
SCALE	NTS

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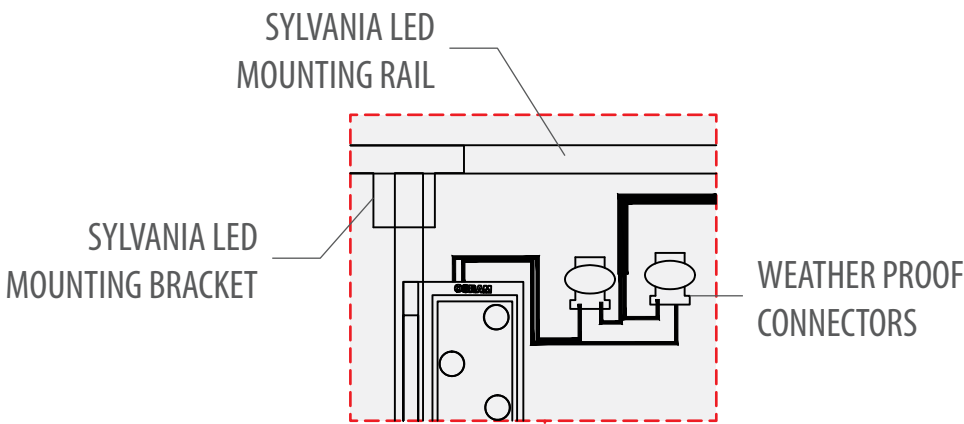
LOCATION
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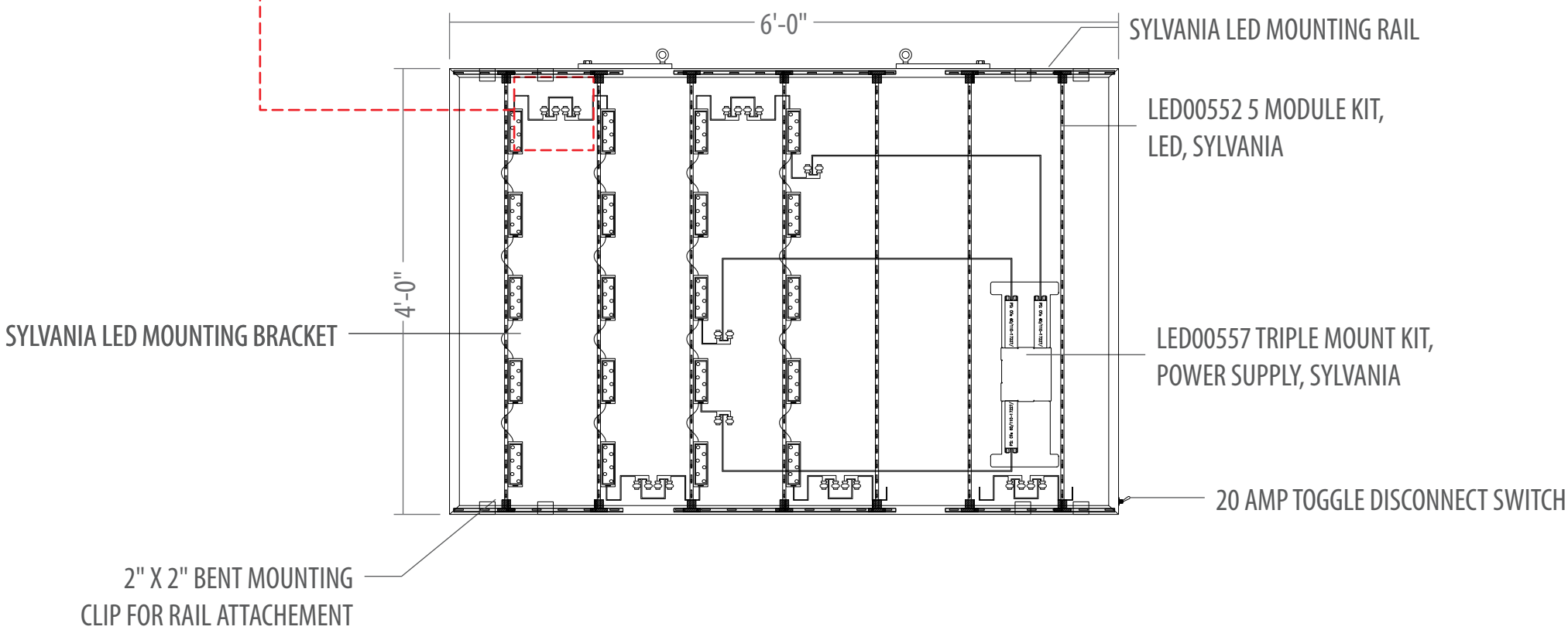
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SIGNATURE _____
DATE _____



OSRAM POWER SUPPLY BREAK DOWN & LED QUANTITIES									
POWER SUPPLY			CABINET	LED MODULES			QUANTITY OF LED MODULES PER OUTPUT	SERVICE DRAW (AMPS)	CIRCUIT #
POWER SUPPLY #	WATTS	PART #		QUANTITY	COLOR	PART #			
#1	96	25-06-05		12	WHITE	25-06-01	12	0.91	1 - 120 VAC 20 AMP SERVICE
#2				12			12	0.91	
#3				11			11	0.91	
TOTALS									
POWER SUPPLIES				LED MODULES				SERVICE DRAW (AMPS)	
QUANTITY	WATTS	PART #		QUANTITY	COLOR	PART #			
3	96	25-06-05		35	WHITE	25-06-01			2.73

Signs shall be marked/listed according to NEC 600.4
Disconnecting means complying with NEC 600.6



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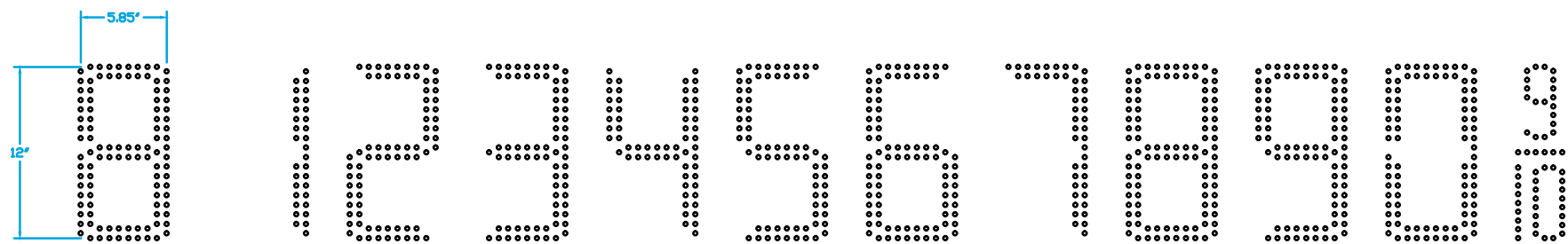
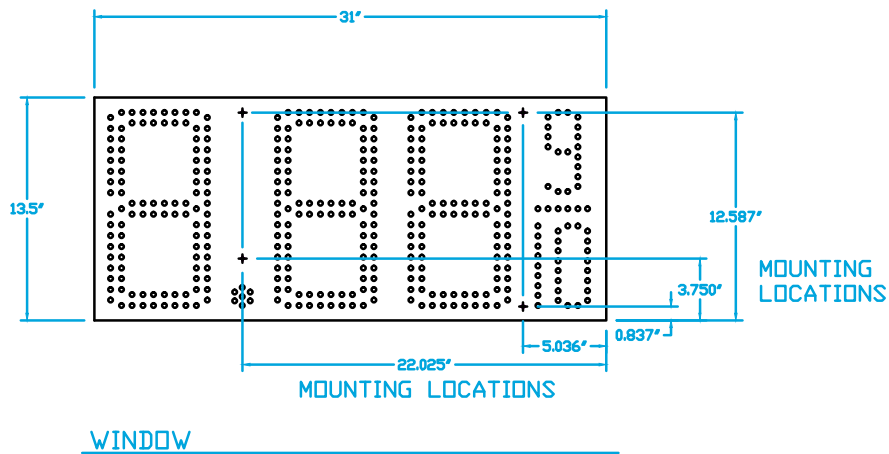
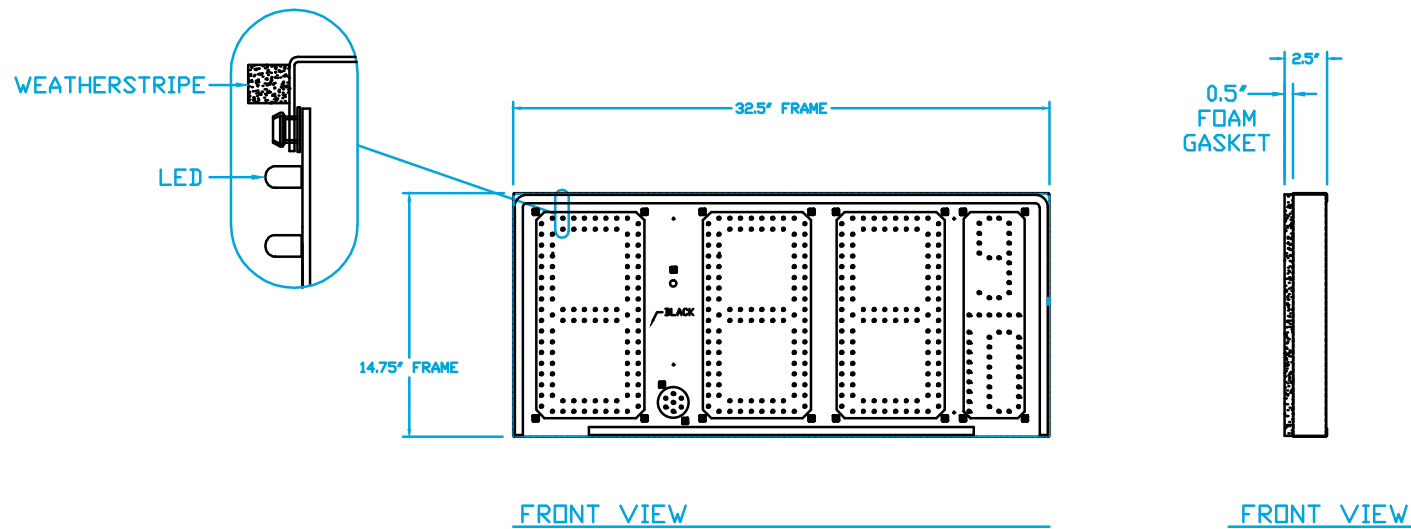
LOCATION	FISHERS, IN
ACCOUNT REP	BEN DEHAYES

DRAWN BY	MH
DATE	06/12/24

REVISION	NOT FOR CONSTRUCTION
SCALE	NTS

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SIGNATURE _____
DATE _____



NOTES:

GENERAL

DIGITS ARE 12" NOMINAL HEIGHT.

MECHANICAL

ABLE APPLIED TECHNOLOGIES IS NOT RESPONSIBLE FOR THE MOUNTING STRUCTURE OR FOR THE ADEQUACY OF ATTACHMENT TO THE STRUCTURE. STRUCTURE AND ATTACHMENT MUST CONFORM TO ALL APPLICABLE BUILDING CODES

WEIGHT 7.5LBS

ELECTRICAL

PROVIDE A 90-265V AC, 15 AMP CIRCUIT FOR POWER.

EACH PRICELINE CONFORMS TO CLASS 2 AND LIMITED TO LESS THAN 100W AND 19VDC FOR GREEN AND 15.0VDC FOR RED.

LISTED IN UL SAMS MANUAL

SERVICE AND ELECTRICAL HOOKUP ACCESS IS THROUGH THE BACK OF THE DISPLAY ONLY.

IF THE POWER TO THE DISPLAY IS TEMPORARILY DISRUPTED, DISPLAY FUNCTIONS WILL BE RETAINED IN MEMORY TO CONTINUE OPERATION WHEN POWER IS RESTORED.

PCU DIGITS AND WIRING ARE CONFORMAL COATED FOR USE IN DAMP CONDITIONS.

ON BOARD MEMORY FOR PRICE AND SETTINGS.

DIMMING, BLINK AND DIAGNOSTIC FUNCTIONS BUILT-IN AND ADJUSTABLE FROM REMOTE CONTROL.

THERMAL

PCU TEMPERATURE -40 TO +85°C. POWER SUPPLY -20° TO +85°C.



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ACCOUNT REP	BEN DEHAYES

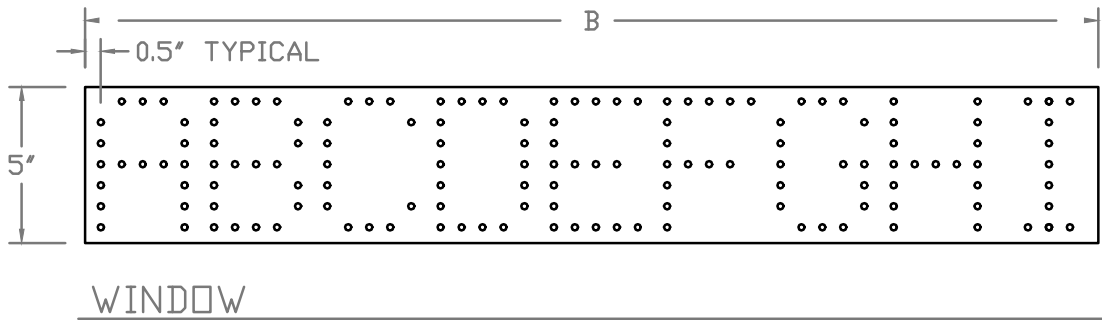
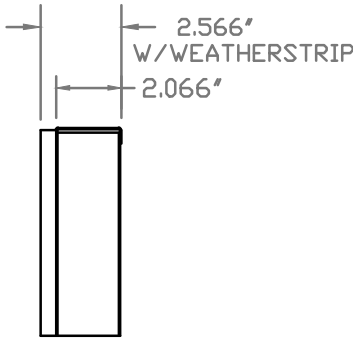
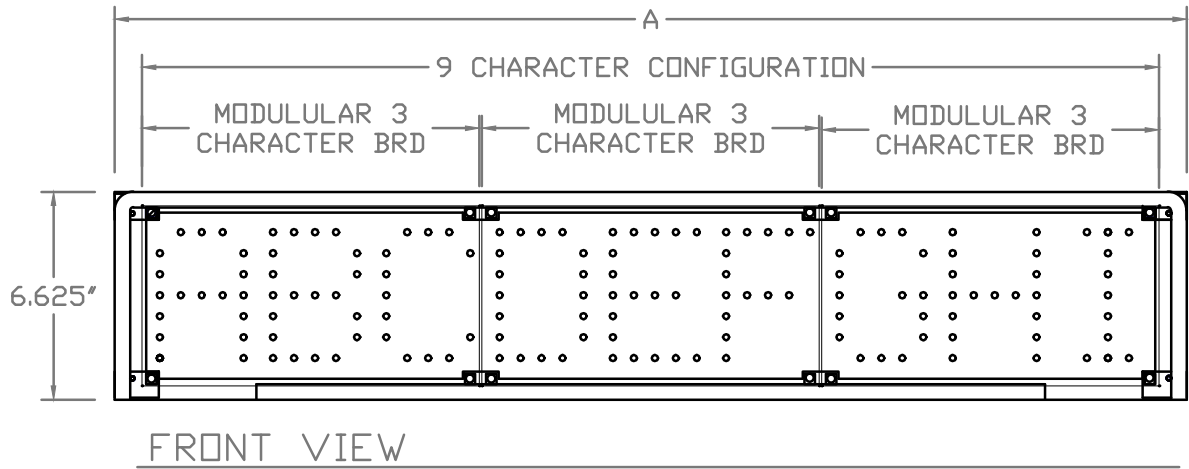
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SCALE	NTS

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SIGNATURE	DATE

PART NUMBER	COLOR	CHARACTERS	DIM A	DIM B
KT-U4TD-6CR	RED	6	23.25"	21.5"
KT-U4TD-6WR	WHITE	6	23.25"	21.5"
KT-U4TD-9CR	RED	9	34"	32.25"
KT-U4TD-9WR	WHITE	9	34"	32.25"
KT-U4TD-12CR	RED	12	44.75"	43"
KT-U4TD-12WR	WHITE	12	44.75"	43"



NOTES:

GENERAL

DIGITS ARE 4" NOMINAL HEIGHT.

MECHANICAL

ABLE APPLIED TECHNOLOGIES IS NOT RESPONSIBLE FOR THE MOUNTING STRUCTURE OR FOR THE ADEQUACY OF ATTACHMENT TO THE STRUCTURE. STRUCTURE AND ATTACHMENT MUST CONFORM TO ALL APPLICABLE BUILDING CODES.

WEIGHT 2.5 LBS

ELECTRICAL

VOLTAGE INPUT: 90-265V AC, 1 AMP.

UNIT CONFORMS TO CLASS 2 REQUIREMENTS AND LIMITED TO LESS THAN 60W PER SET FOR EITHER RED OR WHITE VERSIONS

SERVICE AND ELECTRICAL HOOKUP ACCESS IS THROUGH THE BACK OF THE DISPLAY ONLY.

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PCB AND WIRING ARE CONFORMAL COATED FOR USE IN DAMP CONDITIONS.

ON BOARD MEMORY FOR PRICE AND SETTINGS.

DIMMING, BLINK AND DIAGNOSTIC FUNCTIONS BUILT-IN AND ADJUSTABLE FROM REMOTE CONTROL.

SPECIFICATION:

TEMPERATURE -40 TO +85°C. POWER SUPPLY -20° TO +85°C.

0	1	2	3	4	5	6	7	8	9	A	B	C	D	E	F	G	H
I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z



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CUSTOMER
CIRCLE K
SITE NUMBER
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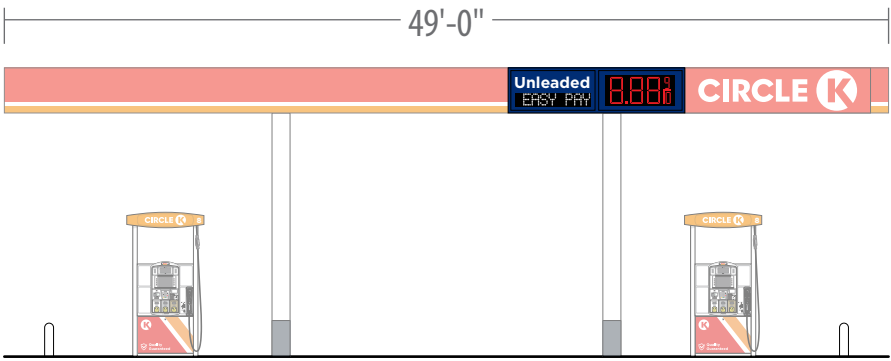
LOCATION
FISHERS, IN
ACCOUNT REP
BEN DEHAYES

DRAWN BY
MH
DATE
06/12/24

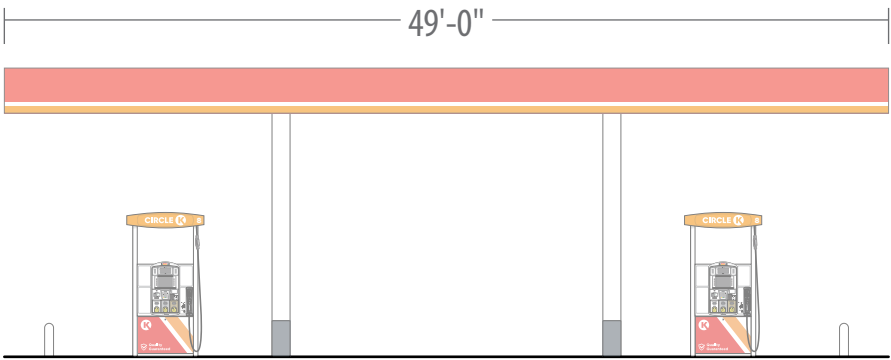
REVISION
NO CHANGE
SCALE
NTS

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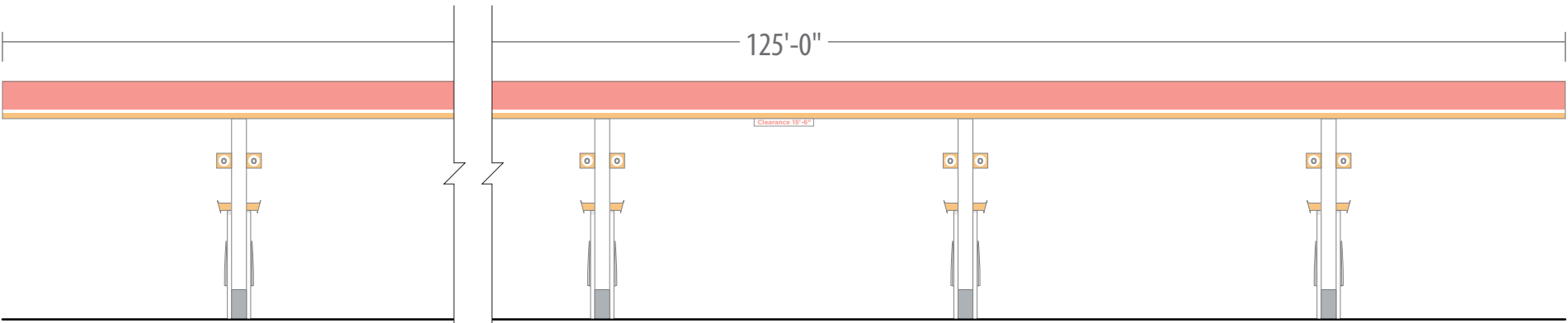
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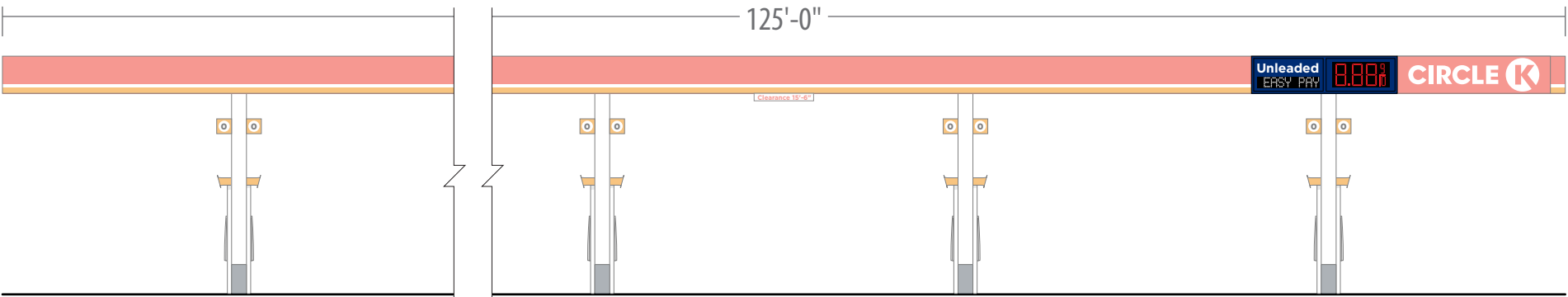
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION

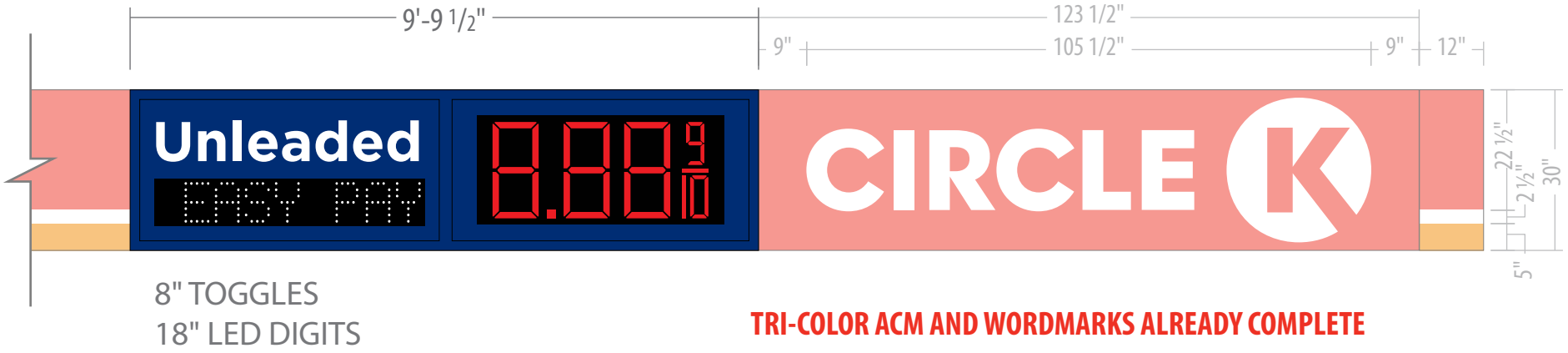


SOUTH ELEVATION

GAS CANOPY SUMMARY
ARTWORK REFLECTS CURRENT SURVEY

SOUTH ELEVATION			
Gas Island Canopy Fascia	2'-6" x 125'-0"	312.5 SF	7.9% of available space
Illum. Unleaded Price Sign	2'-6" x 9'-9 1/2"	24.8 SF	
WEST ELEVATION			
Gas Island Canopy Fascia	2'-6" x 49'-0"	122.5 SF	20.2% of available space
Illum. Unleaded Price Sign	2'-6" x 9'-9 1/2"	24.8 SF	
NORTH ELEVATION			
Non-illuminated Red, White, and Orange ACM panels			
EAST ELEVATION			
Non-illuminated Red, White, and Orange ACM panels			

COLUMN PAINT SCHEDULE (SEMI-GLOSS FINISH)
 ☐ SW #7570 Egret White - From gray to bottom of canopy
 ☒ SW #6236 Grays Harbor - From grade to 24" above grade



8" TOGGLES
18" LED DIGITS

TRI-COLOR ACM AND WORDMARKS ALREADY COMPLETE



CORPORATE
IDENTIFICATION
SOLUTIONS

CUSTOMER	CIRCLE K
SITE NUMBER	2285

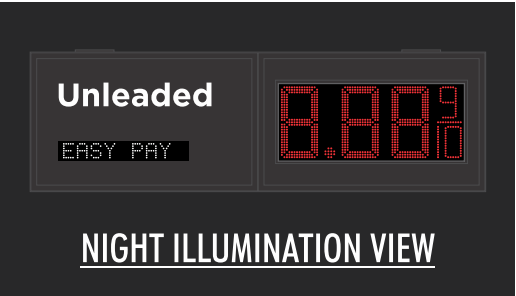
LOCATION	FISHERS, IN
ACCOUNT REP	BEN DEHAYES

DRAWN BY	MH
DATE	06/12/24

REVISION	NO CHANGE
SCALE	NTS

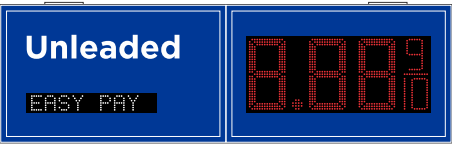
CORPORATE ID SOLUTIONS	5563 N ELSTON AVE. CHICAGO, IL 60630 P: 773-763-9600 F: 773-763-9606 CORPORATEIDSOLUTIONS.COM
------------------------	--

CUSTOMER ACCEPTANCE	THIS DRAWING IS THE PROPERTY OF CORPORATE IDENTIFICATION SOLUTIONS, INC., CHICAGO, IL, AND CONTAINS PROPRIETARY AND CONFIDENTIAL INFORMATION. THIS DRAWING IS TRANSFERRED TO THE CUSTOMERS AND SUPPLIERS OF CORPORATE IDENTIFICATION SOLUTIONS, INC BY WAY OF LOAN. THIS DRAWING MAY NOT BE COPIED OR REPRODUCED, IN WHOLE OR IN PART, NOR MAY IT OR THE INFORMATION IT CONTAINS BE DISCLOSED OR TRANSFERRED TO ANY OTHER PARTY OR PERSONS WITHOUT THE PRIOR WRITTEN CONSENT OF CORPORATE IDENTIFICATION SOLUTIONS, INC.
SIGNATURE	DATE

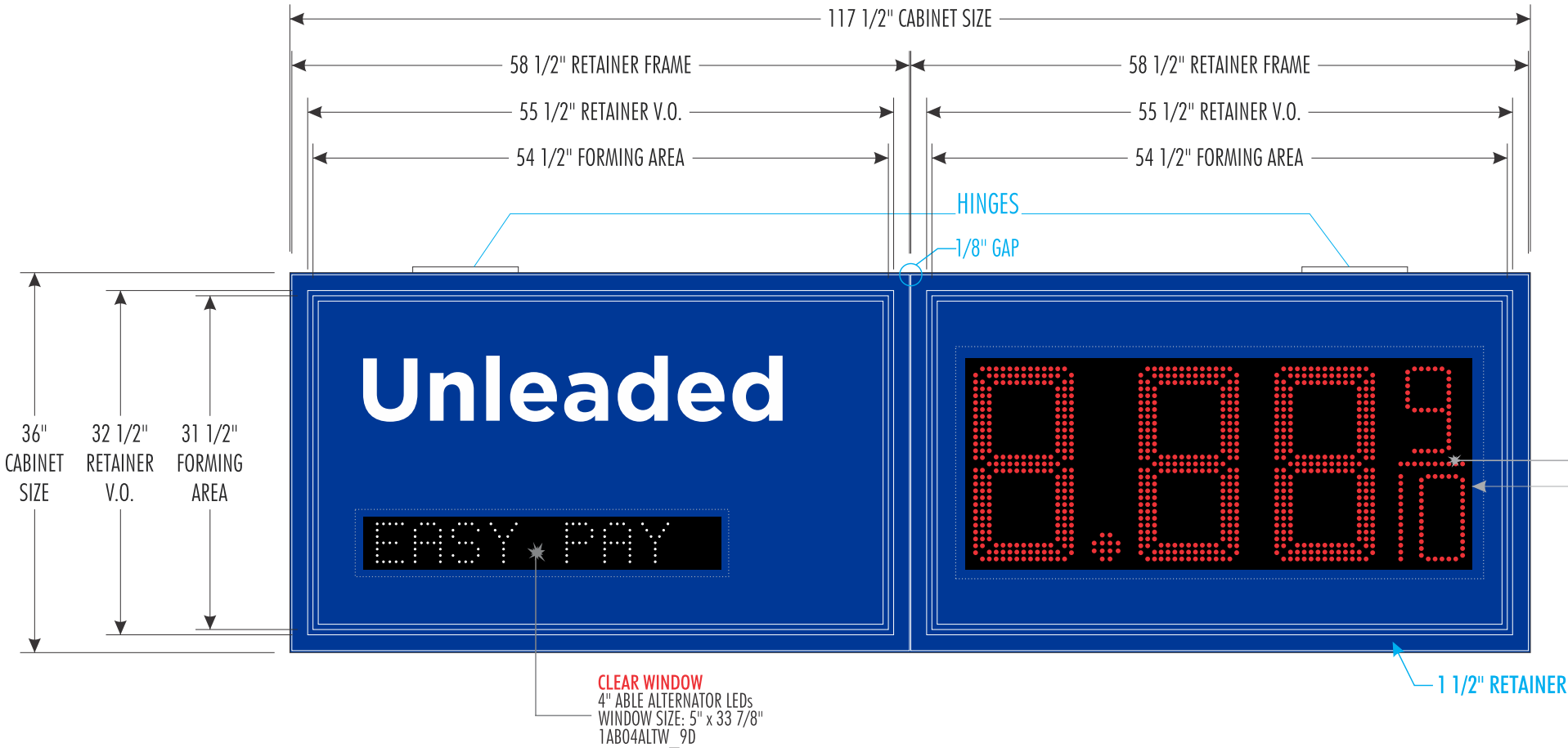


PRODUCT COPY:
WHITE COPY ON OPAQUE BACKGROUND

6" Unleaded

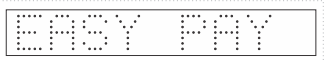


OPPOSITE VIEW



FRONT VIEW

4" WHITE ABLE ALTERNATOR LEDS OPTIONS:



ALL ALTERNATE MESSAGES
MUST BE PROGRAMED PRIOR TO SHIPPING
AND INSTALLER-CONFIRMED UPON INSTALL

PARTS LIST:

ITEM	DESCRIPTION
A	WHITE
B	3M 3630-157 Sultan
C	BLOCKOUT
D	
E	
F	

MATERIAL LIST

1	ALUMINUM
2	PLASTIC FACE
3	3M VINYL
4	1 1/2" STRUCTURAL RETAINER

SECOND SURFACE DECORATION
SCALE: 1:14

NOTE: WEIGHTS AND MEASURES

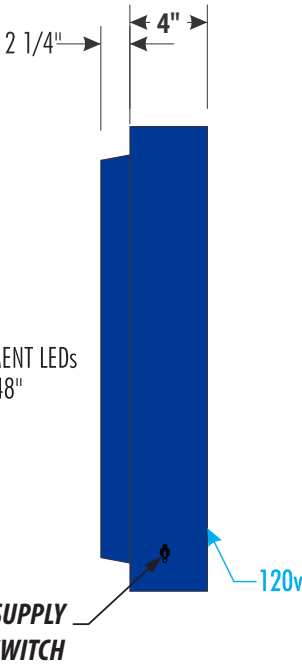
THIS SIGN IS INTENDED TO BE INSTALLED IN
ACCORDANCE WITH THE REQUIREMENTS OF
ARTICLE 600 OF THE NATIONAL ELECTRIC CODE
AND/OR OTHER APPLICABLE LOCAL CODES.
THIS INCLUDES PROPER GROUNDING AND
BONDING OF THE SIGN

GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)
 - GRAPHICS +/- 1/8" • FACE SIZE + 1/16" - 1/4"
 - CABINET +/- 1/8" • VINYL OVERLAP + 1/8" +/- 1/16"
 - ALL COPY LEVEL UNLESS NOTED OTHERWISE
2. VIEWING DISTANCE 25' TO 50' UNLESS NOTED OTHERWISE
3. PMS COLOR CALLOUT INDICATES USE OF SPRAYLAT MIX SYSTEM
4. NO DEVIATION OR MATERIAL SUBSTITUTION WITHOUT ECN.
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

DESCRIPTION

3' x 10' APPROX.
ILLUMINATED SINGLE FACE
1P PRICER CANOPY CABINET SIGN



SIDE VIEW

TO BE MADE WITH ABLE (CIRCLE K) LEDS: 1CKAAT18R1-7SSF



CORPORATE
IDENTIFICATION
SOLUTIONS

CUSTOMER	CIRCLE K
SITE NUMBER	2285

LOCATION	FISHERS, IN
ACCOUNT REP	BEN DEHAYES

DRAWN BY	MH
DATE	06/12/24

REVISION	NO CHANGE
SCALE	NTS

CORPORATE ID SOLUTIONS	5563 N ELSTON AVE. CHICAGO, IL 60630 P: 773-763-9600 F: 773-763-9606 CORPORATEIDSOLUTIONS.COM
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SIGNATURE	DATE



Board of Zoning Appeals Staff Report

Meeting Date: December 18, 2024

DEPARTMENT CONTACT:

Kevin Martin (martinke@fishers.in.us)

CASE NUMBER:

VA-24-24

PETITIONER:

Andrew Horton (regulatory@schmidt-arch.com)
on behalf of the Al Huda Foundation Inc.

PROPERTY ADDRESS/LOCATION:

12115 VISIONARY WAY, FISHERS, IN 46038

REQUEST: Approval of a Land Use Variance from Section 4.2.3 I-69-OL Interstate-69 Overlay District of the City's Unified Development Ordinance (UDO) to allow an Institutional Use.

APPLICABLE REGULATIONS:

Section 4.2.3 I-69-OL
Interstate-69 Overlay District

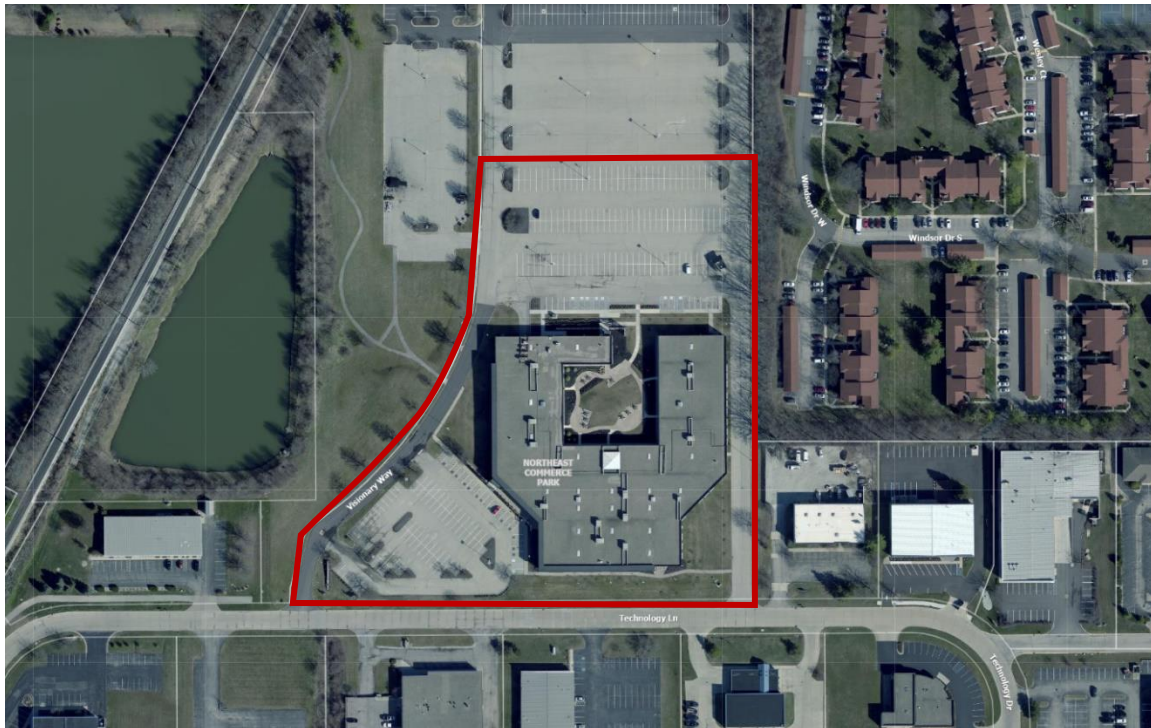
EXISTING ZONING:

NPDC – Technology
Center

FISHERS 2040:

Flex Employment Center/R+D

LOT SIZE: 8.21 acres

LOCATION MAP

STAFF RECOMMENDATION

☒ Approve, with conditions

☐ Continue

☐ Deny

☐ No Recommendation

Meeting Date: December 18, 2024

Case Number: VA-24-24

ZONING HISTORY:

This property was rezoned to TC – Technology Center in June 2023 with Ord. No. 041723D, an amendment to the Nickel Plate District Code. The Nickel Plate District Code was developed to create the downtown envisioned by the Downtown 2030 Master Plan. The Code is form-based, which means that the design of the structure and the relations of the structure to the street and the pedestrian environment is as important as the use contained within the structure.

The UDO designates the Technology Center Zone as “the innovation and collaboration center... This area provides a mix of employment uses that includes office, research, and development (R&D) and components of light or flex-industrial uses. R&D includes basic and applied research, application of such knowledge to the production process, research facilities, clean manufacturing, and support services in a coordinated and high quality, aesthetic environment and incubator facilities for start-ups and growing tech/research companies. Campus settings with coordinated buildings and pedestrian environments are strongly encouraged. Employment intensive uses which allow existing buildings to be converted to high tech office and makers space are also encouraged.”

Interstate-69 Overlay District (I69-OL)

The subject site is also within an overlay district. “It is the purpose and intent of the Interstate-69 Overlay District (I69-OL) to limit certain uses that could negatively impact the aesthetics image and economic opportunities for properties that have limited access along the I69 corridor.” The overlay explicitly prohibits “Institutional Uses exempt from paying Indiana property taxes and associated accessory structures.” An educational institution is not permitted within the district, a Land Use Variance is required to establish a school within the district.

SURROUNDING LAND USE & ZONING:

North: TC - Technology Center (Launch Fishers)

East: TC - Technology Center (Commercial)

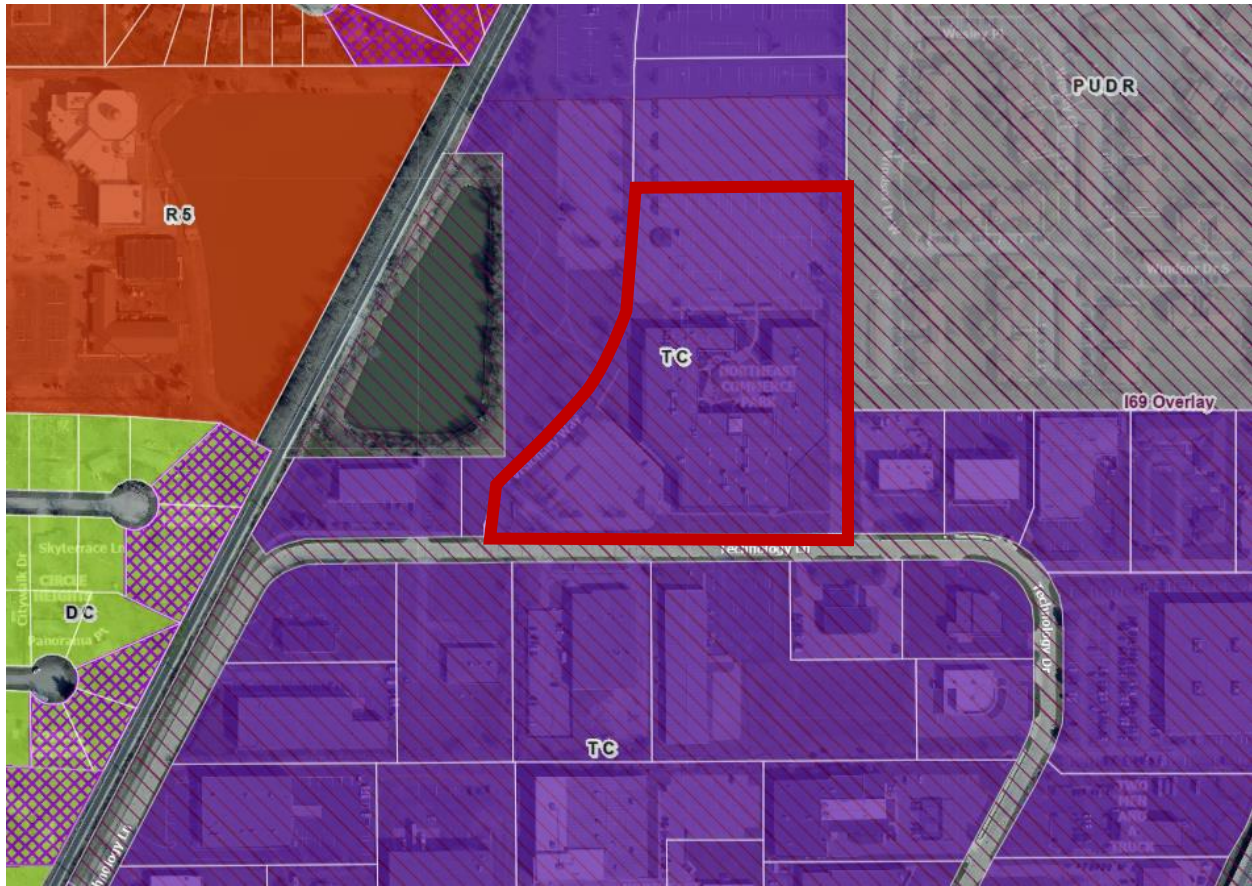
PUDR – Planned Unit Development Residential (Sunlake Apartments)

South: TC - Technology Center (Commercial)

West: TC - Technology Center (Commercial)

See Zoning Map on the next page.

Zoning Map



SUMMARY OF PUBLIC COMMENTS:

No Public Comments have been submitted at the time of writing this Staff Report.

PETITION OVERVIEW:

Summary of Request

The petitioner, on behalf of the Al Huda Foundation and the Eman School, has proposed establishing an educational institution within the subject site. Currently, the Eman School operations are located at three different sites within the City of Fishers. The school operates two facilities along the Allisonville Road, and one on Lantern Road.

Meeting Date: December 18, 2024

Case Number: VA-24-24

The requested variance is required to establish an institutional use within the Interstate-69 Overlay District. The proposal would adaptively reuse an existing office building to consolidate all three existing school operations within one location. The Eman School currently serves 450 students pre-K through 12th grade and employs approximately 50 staff members.

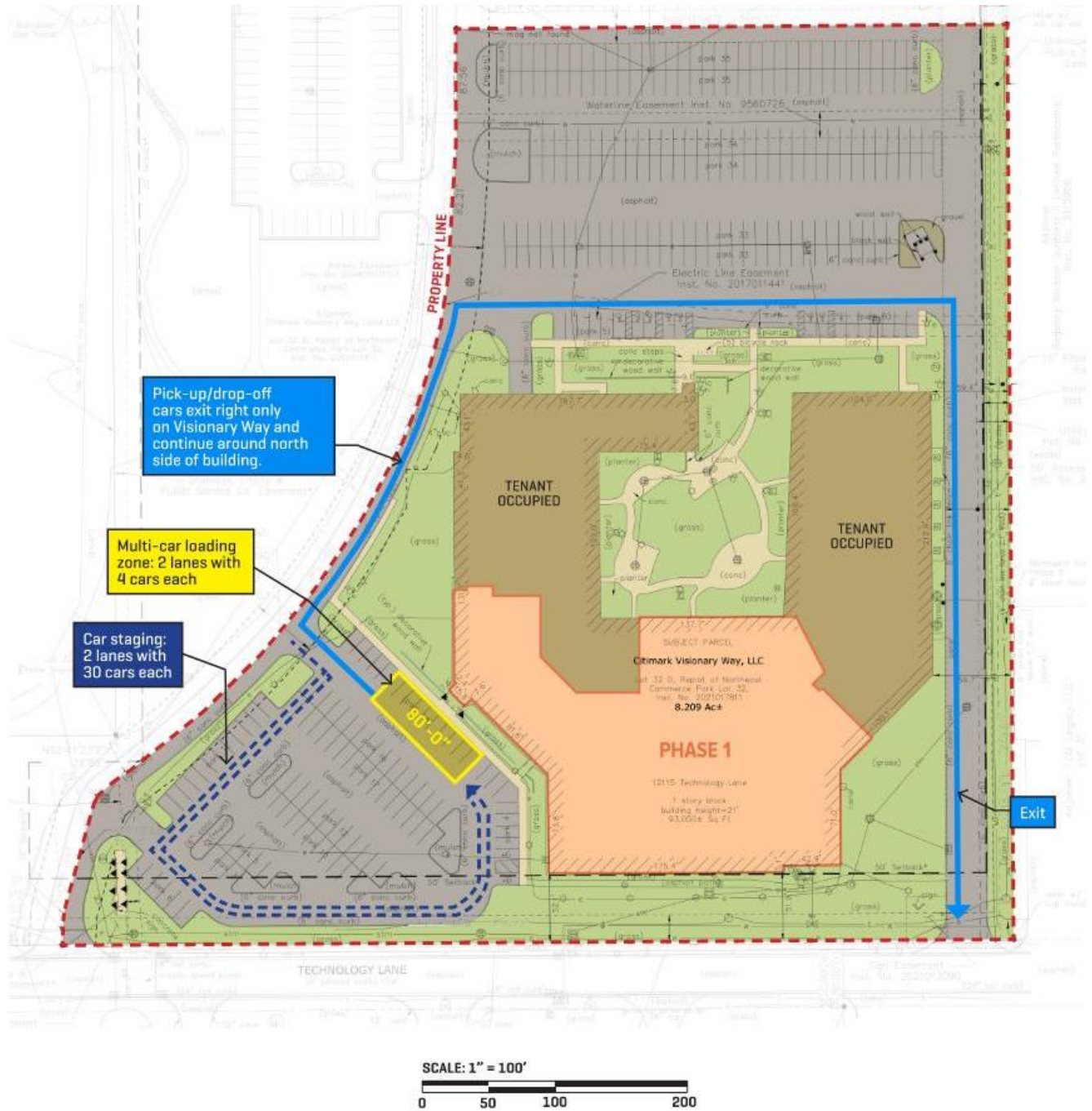
The proposed location includes 80,000 square feet building of space which will be gradually occupied by the consolidated school operations. The school plans to occupy part of the building as early as summer 2025 with 250 students and 20 staff members. As more space becomes available, the school plans to increase their operations to occupy the entire building and planned expansion. The overall expansion is planned for up to 900 students, K-12, and 65 staff members.

Based on the expected traffic impacts, the City's Engineering Department has requested certain changes to the circulation plan and school operations. Al Huda Foundation and Eman School have agreed to all the requests, including school start times, ingress/egress access points, and traffic circulation for the drop off/pickup operations. The Proposed Traffic Management Plan is included within the Petitioner's Packet. The commitments are included as conditions of approval.

The school operation expansion plan and the proposed traffic circulation for each phase is shown on the following pages.

Meeting Date: December 18, 2024

Case Number: VA-24-24



EMAN SCHOOLS - SITE PLAN , PHASE 1

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

Meeting Date: December 18, 2024

Case Number: VA-24-24



EMAN SCHOOLS - SITE PLAN, PHASE 1A

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

Meeting Date: December 18, 2024

Case Number: VA-24-24



SCHMIDT
ASSOCIATES

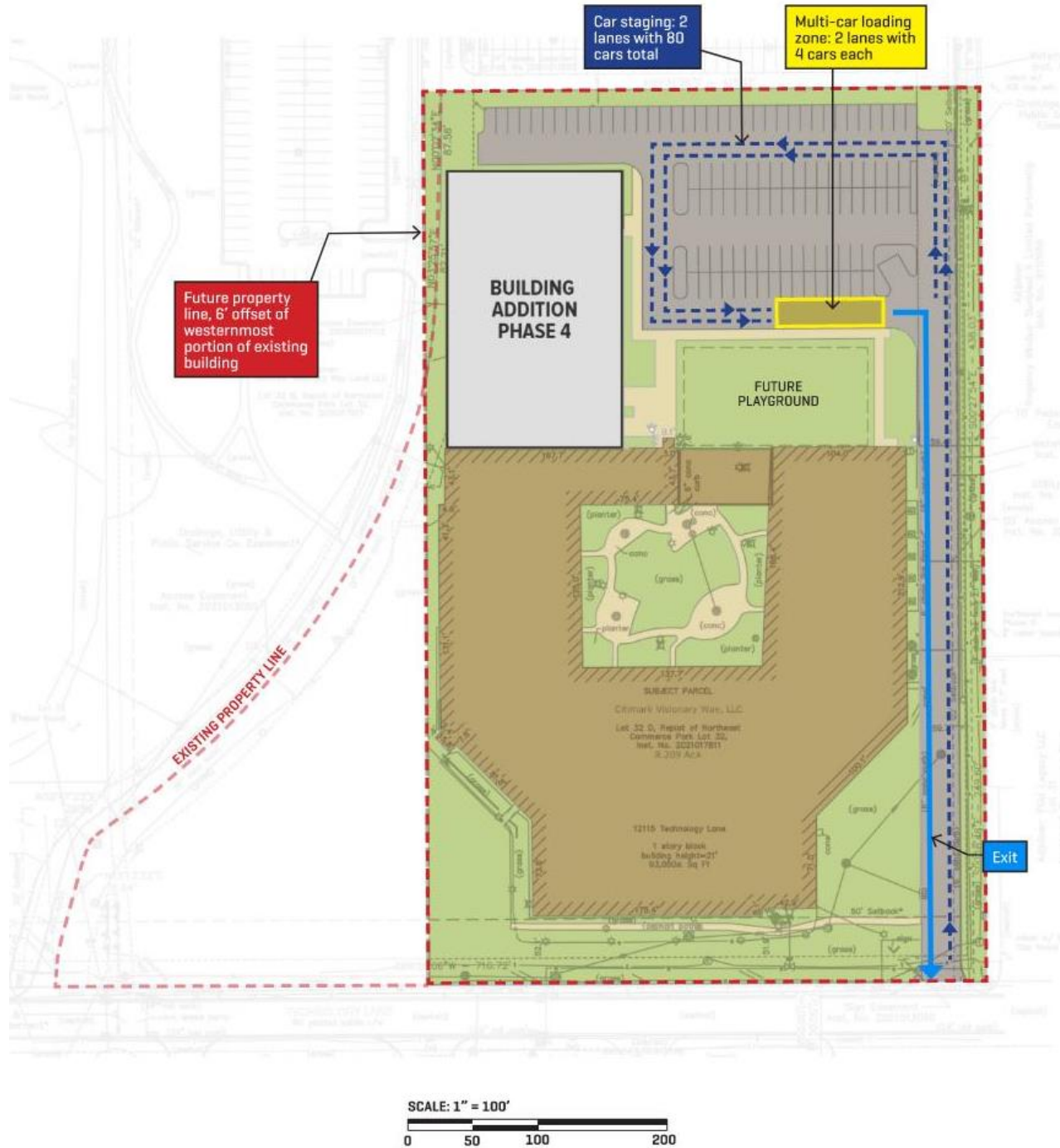
EMAN SCHOOLS - SITE PLAN , PHASES 2 AND 3

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

Meeting Date: December 18, 2024

Case Number: VA-24-24



EMAN SCHOOLS - SITE PLAN , PHASE 4

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

Meeting Date: December 18, 2024

Case Number: VA-24-24

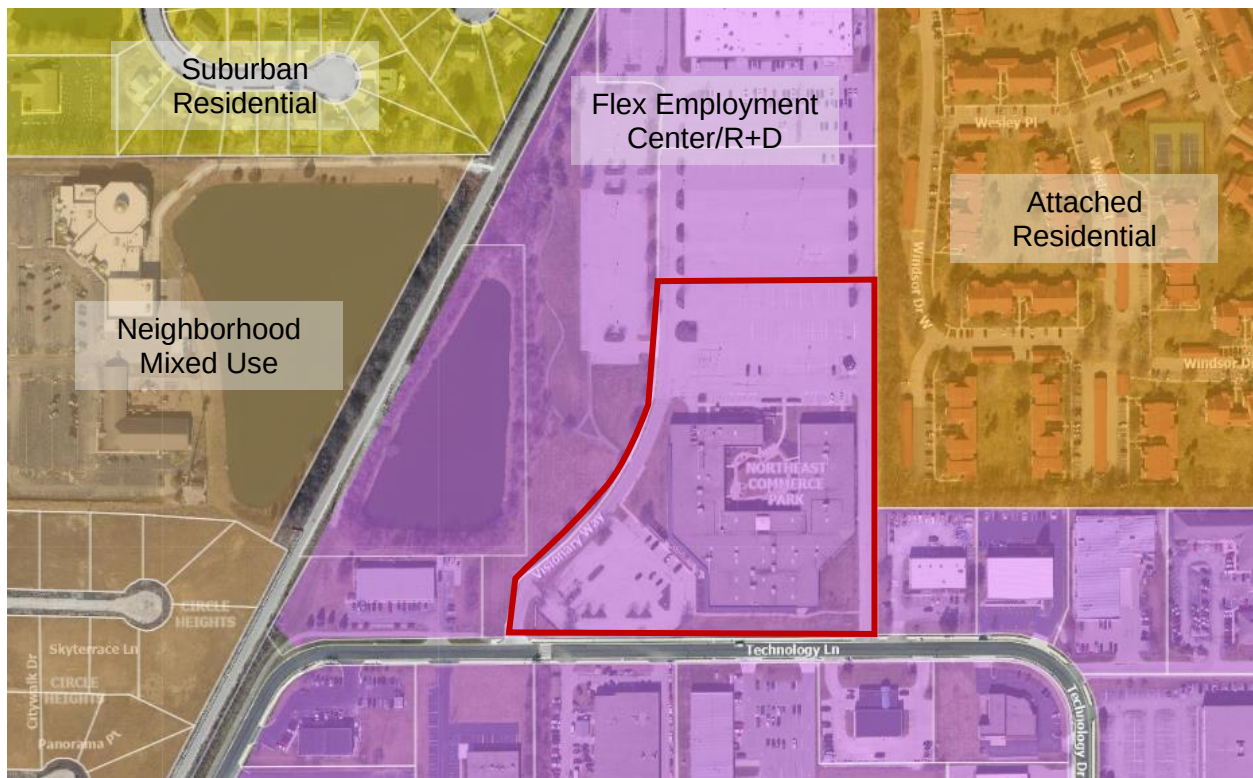
Fishers 2040

The subject site is designated as Flex Employment Center / R+D. The Fishers2040 plan describes the land use category as:

A mix of employment uses that includes office, research and development (R&D) and components of light or flex-industrial uses. R&D includes basic and applied research, application of such knowledge to the production process, research facilities, clean manufacturing and support services in a coordinated and high quality, aesthetic environment and incubator facilities for start-ups and growing tech/research companies. Campus settings with coordinated buildings and pedestrian environments are strongly encouraged. Employment intensive uses which allow existing buildings to be converted to high tech office and makers space are also encouraged.

The variance request aligns with this vision.

Fishers 2040 Future Land Use Map



Meeting Date: December 18, 2024

Case Number: VA-24-24

STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

1. The Approval Letter and relative documentation be recorded on the property with the Hamilton County Recorder's Office.
2. A minimum six (6) foot setback shall be maintained from the most western portion of the existing building for the future realignment of Visionary Way.
3. Any building expansion, architecture and site layout, shall require approval by the Nickel Plate Review Committee.
4. During Phase 1, Eman Schools may use Visionary Way as its ingress to use the existing entrance at the SW corner of the building for drop-offs and pick-ups. If at any point during Phase 1, traffic issues arise or a new development comes to the north of Eman Schools, the City shall provide Eman Schools a 30-day notice to completely self-contain drop-off to the eastern roadway and relocate the pick-up and drop-off to the north or eastern side of the building.
5. For Phase 1A and beyond, the eastern roadway shall serve the ingress and the egress of the school while Visionary Way, and its potential redesign, shall serve Launch Fishers along with the future development north of the school.
6. To avoid future conflicts with AM and PM rush hours, the school schedule shall be adjusted to start at 8:30 am and end at 3:30 pm.

STAFF RECOMMENDATION

☒ Approve, with Conditions ☐ Continue ☐ Deny ☐ No Recommendation

VA-24-24



EST. 1872

faegre
drinker

Page 28 of 73

TABLE OF CONTENTS

EMAN SCHOOLS

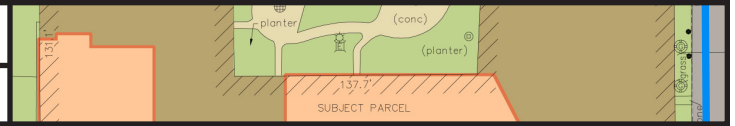


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Tab 3

Site Plans by Phase

Tab 4

West Elevation and Floor Plan, Phase 4

Tab 5

Director of Engineering Letter

Tab 6

Proposed Traffic Management Plan for Pickup Operations

Alhuda Foundation, Inc.:

Adel Nada,
Board of Trustees Member
12213 Lantern Rd.
Fishers, IN 46038

Eman Schools, Inc.:

Zeina Dardari,
President of the School Board
Shaker Rashid, Ph.D., MAE,
Superintendent
11965 Allisonville Rd.
Fishers, IN 46038

Colliers International Indiana, LLC:

Saimir Qalliu, Managing Director
Sherif Attallah, Senior Project
Manager / Project Management
241 N. Pennsylvania St., Suite 300
Indianapolis, IN 46204

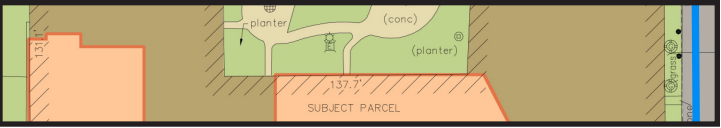
Schmidt Associates, Inc:

Bob Ross, PE,
Project Manager / Associate
Craig Flandermeyer, RLA, LEED AP,
Design Landscape Architect /
Associate
Andrew Horton, CPT,
Permitting Coordinator
415 Massachusetts Ave.
Indianapolis, IN 46204

Faegre Drinker Biddle & Reath LLP:

Mindy Westrick Brown, Counsel
Mark R. Leach, Land Use Planner
600 East 96th St., Suite 600
Indianapolis, IN 46240
Telephone: (317) 569-9600

TAB 1

EXECUTIVE SUMMARY	
EMAN SCHOOLS	

About Eman Schools

Eman Schools was founded in 2005 in Fishers, IN and currently serves 450 students pre-K through 12th grade and employs 50 Hoosiers. It has been an A-rated school by the Department of Education since its inception and has a 100% college matriculation rate. Like other top private schools in the Midwest, it is accredited by ISACS (Independent Schools Association of the Central States) and this year it was recognized by Governor Holcomb and the State of Indiana for achieving a 100% literacy goal for reading proficiently. The school currently has three campuses - one to the north and one to the south of 116th Street on Allisonville Road, and one on Lantern Road. The school is now at capacity and has a lengthy waiting list.

About 12115 Visionary Way

An 80,000 sq ft building was purchased in 2024 by the school via local community investors and Fishers’ residents for \$9 million with the purpose of consolidating all three campuses into one location. With this, the school can accommodate families on the waiting list and can avoid the challenges of parents dropping off children at multiple locations, thereby relieving the resulting traffic congestion. The building is uniquely positioned next to Al Huda Foundation, which is the parent organization, which could allow for shared use of parking when needed.

About the Development

Total project costs will represent an additional investment of approximately \$2 million in the Fishers’ community. If approved, site development activities are expected to begin in January with completion in June 2025 in order to prepare for the new school year. The school anticipates adding another 15 jobs to its workforce in year one.

About the Use Variance

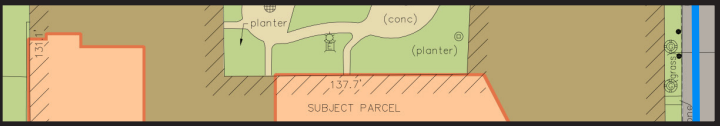
To develop the school project as proposed over the phases, a land use variance from Section 4.2.3 I69-OL Interstate-69 Overlay District of the City’s Unified Development Ordinance to allow an Institutional Use is needed. After extensive discussions with the City of Fishers, Al Huda Foundation / Eman Schools has agreed to all items related to the access points, ingress/egress, and traffic for the new Eman Schools drop off/pickup. The plans and exhibits in this presentation packet are responsive to the letter from the Director of Engineering in Tab 5, and Al Huda Foundation / Eman Schools commit to all the requests, including school times, in that letter and to the Proposed Traffic Management Plan for Eman Schools Pickup Operations letter from the schools’ Superintendent in Tab 6.

Thank you for your consideration.

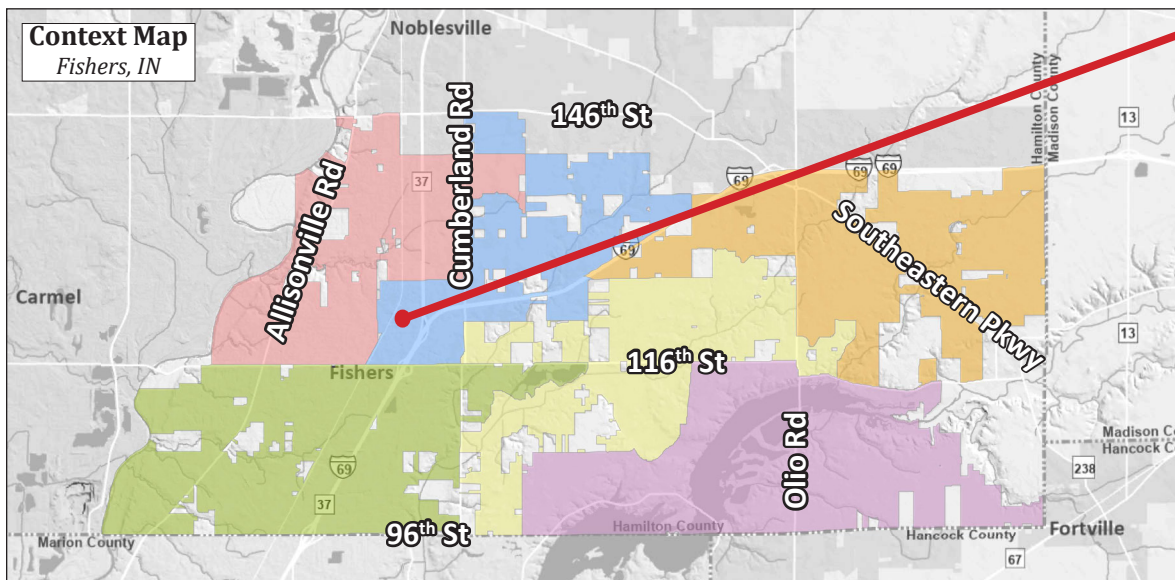
TAB 2

AERIAL LOCATION MAP (+/- 8.209 ACRES)

EMAN SCHOOLS

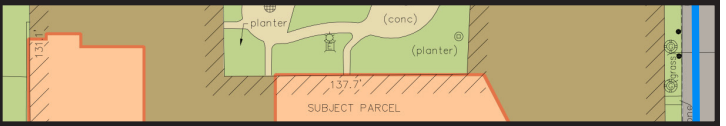


REAL ESTATE



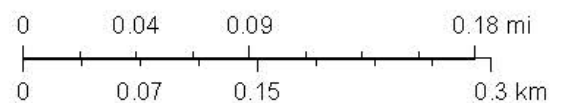
AERIAL LOCATION MAP (+/- 8.209 ACRES)

EMAN SCHOOLS



REAL ESTATE

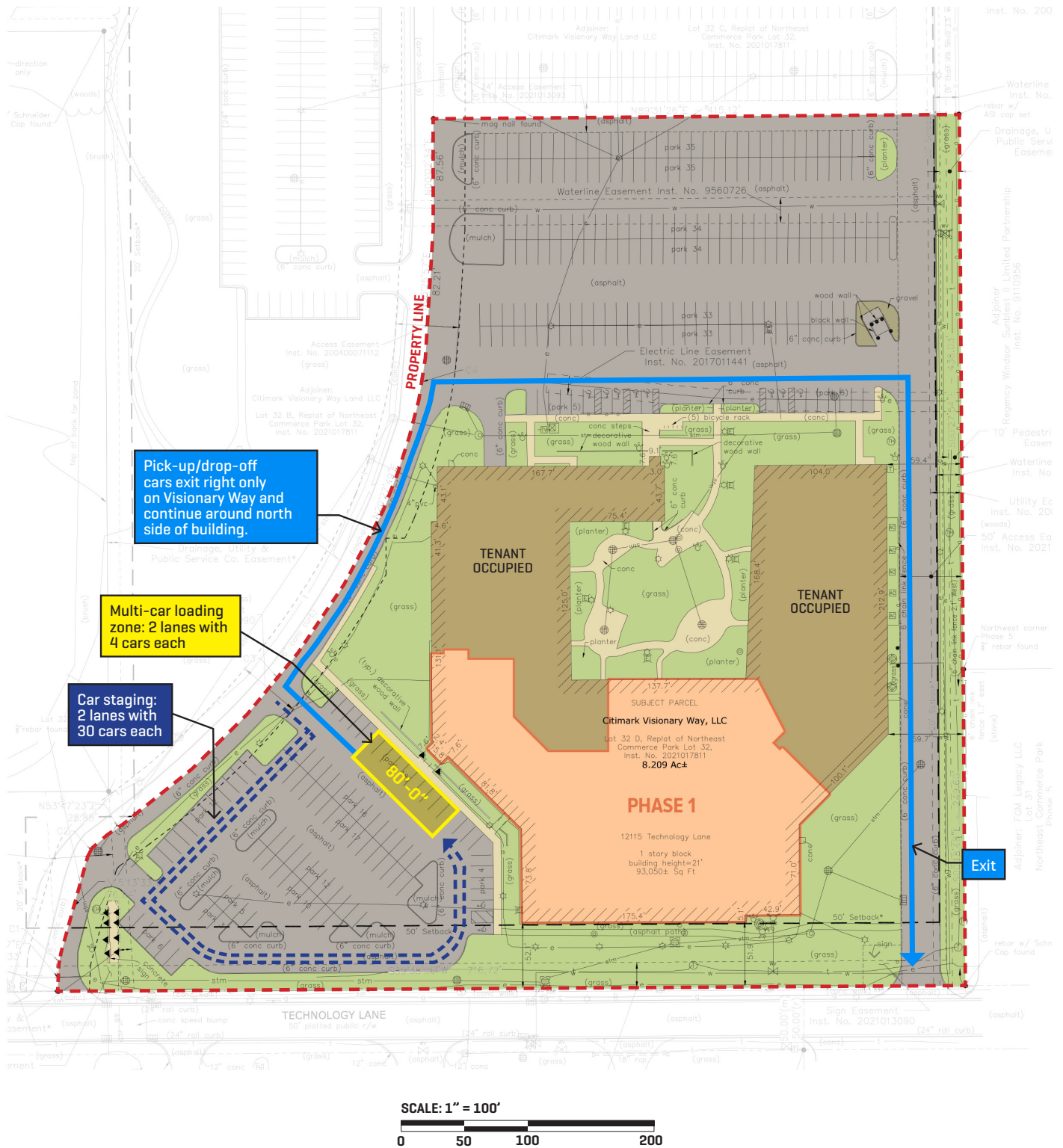
1:7,200



TAB 3

SITE PLANS BY PHASE

EMAN SCHOOLS



SCHMIDT
ASSOCIATES

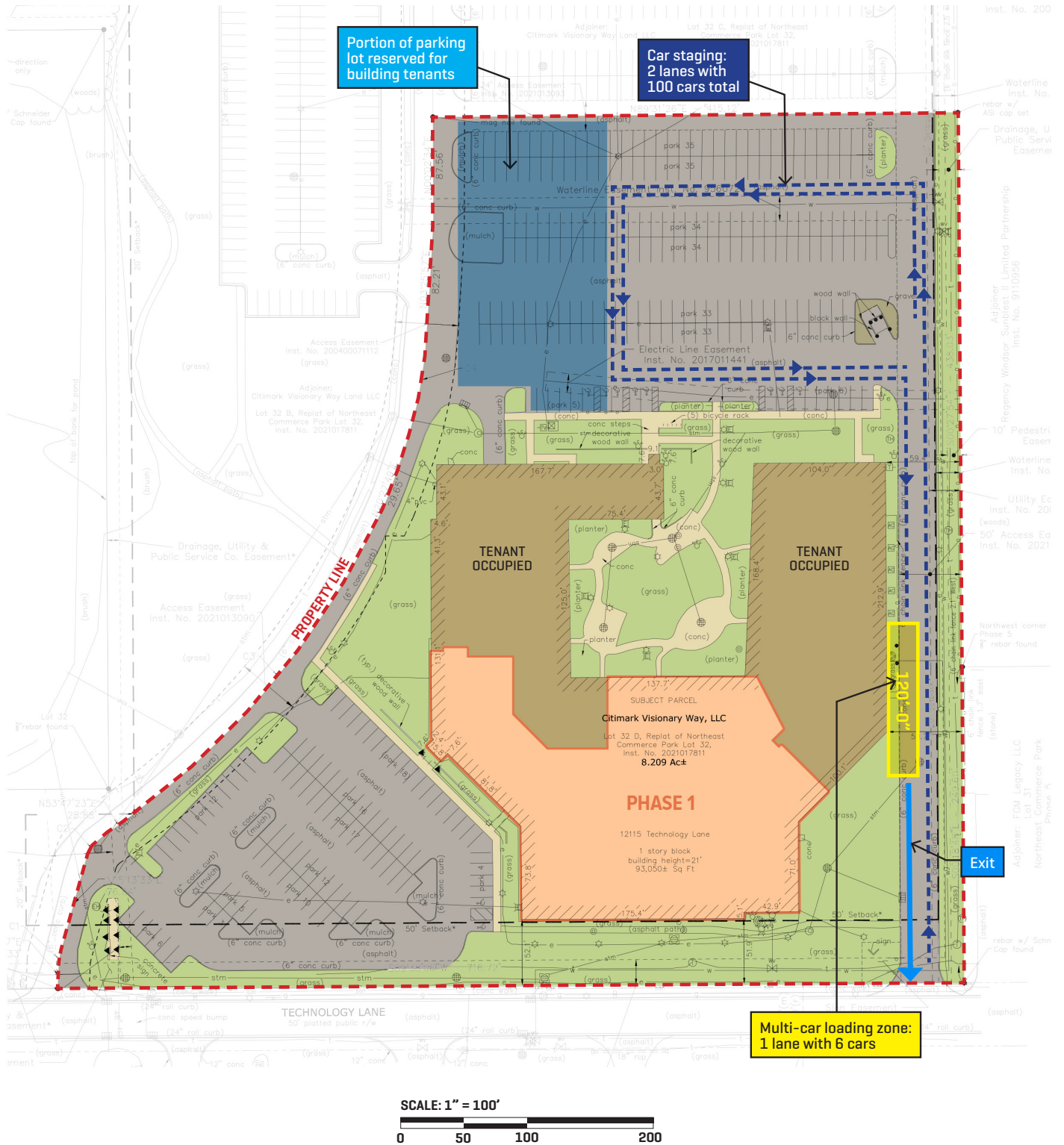
EMAN SCHOOLS - SITE PLAN , PHASE 1

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

SITE PLANS BY PHASE

EMAN SCHOOLS



SCHMIDT
ASSOCIATES

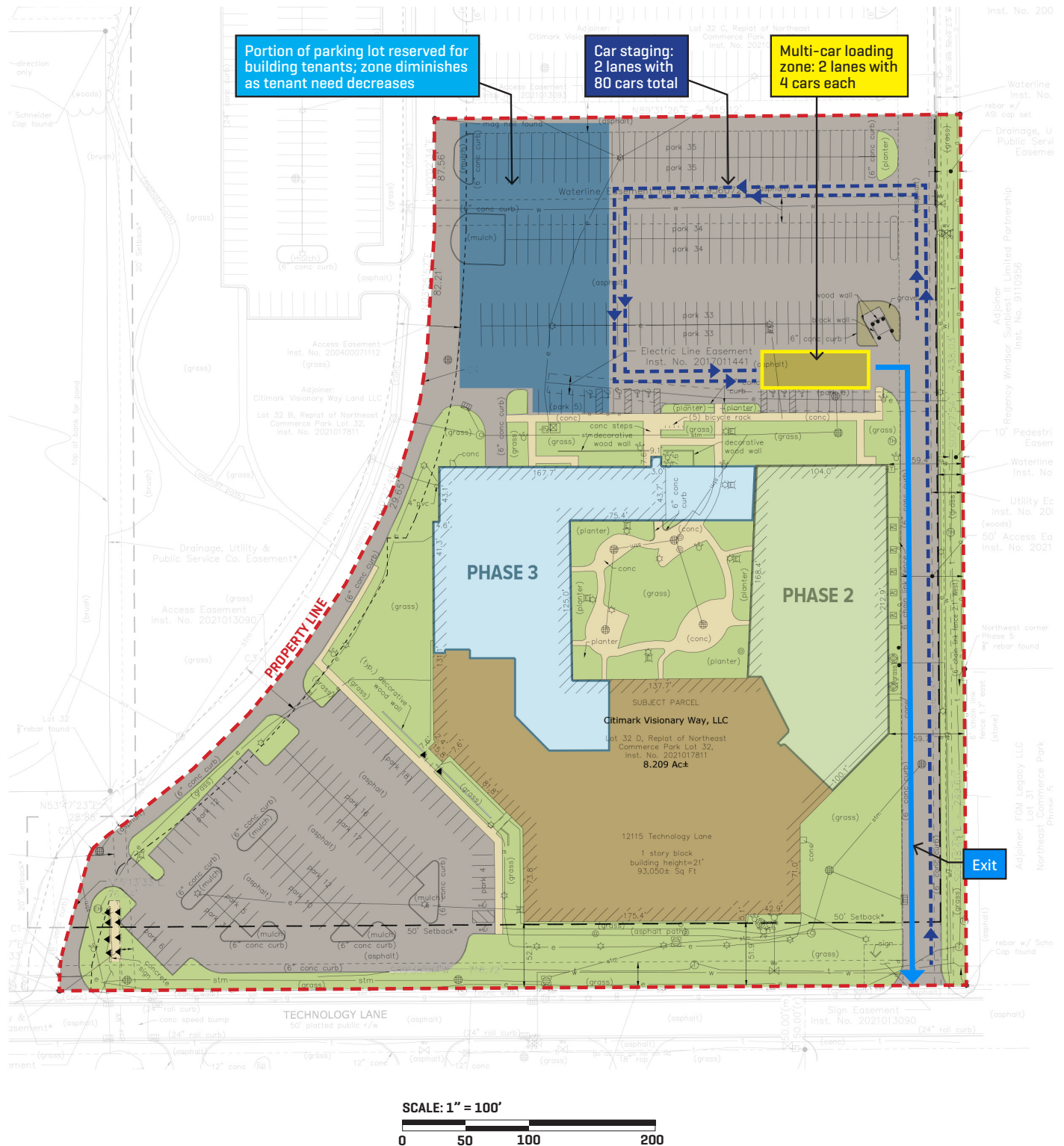
EMAN SCHOOLS - SITE PLAN , PHASE 1A

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

SITE PLANS BY PHASE

EMAN SCHOOLS



SCHMIDT
ASSOCIATES

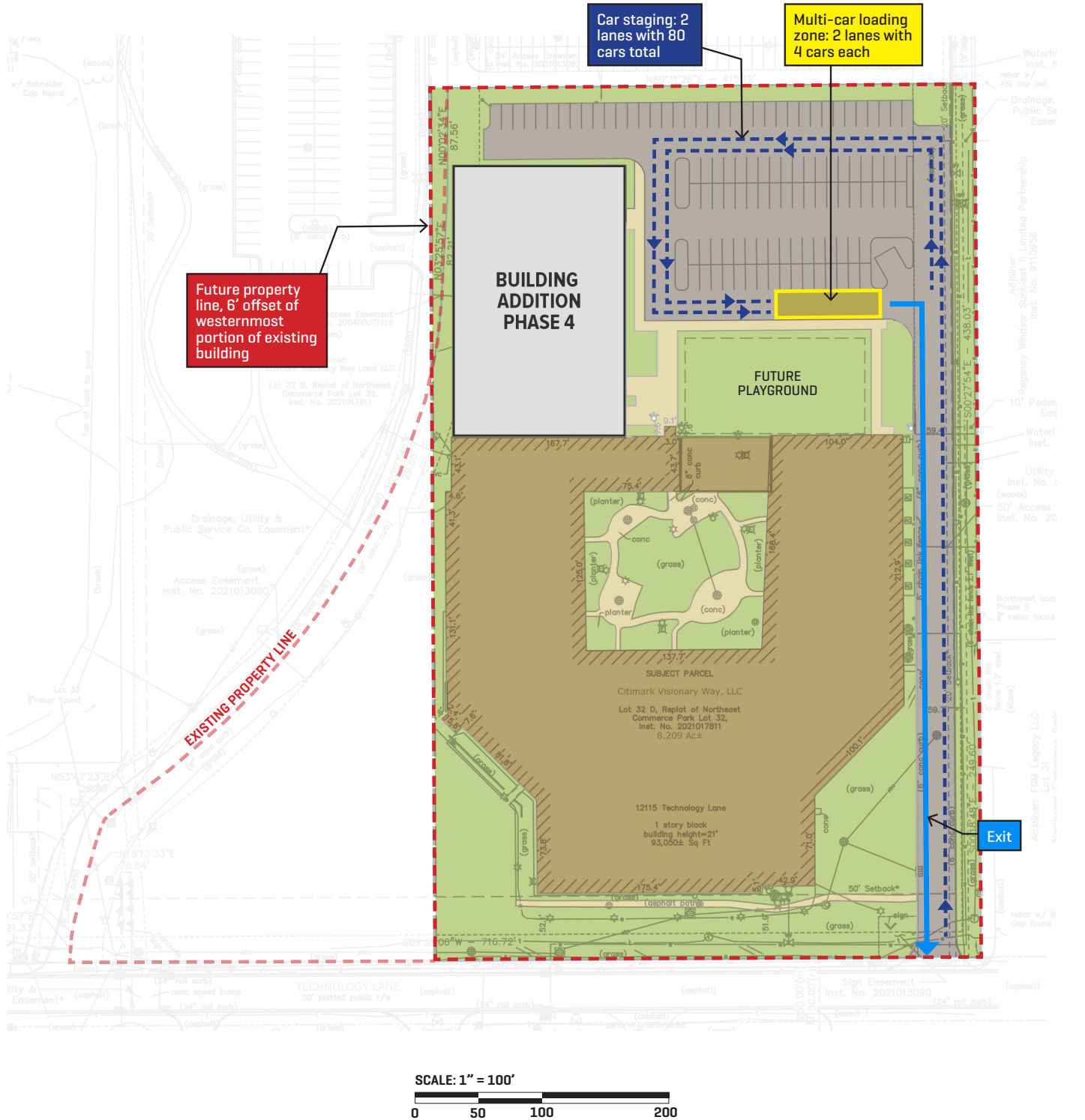
EMAN SCHOOLS - SITE PLAN , PHASES 2 AND 3

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

SITE PLANS BY PHASE

EMAN SCHOOLS



SCHMIDT
ASSOCIATES

EMAN SCHOOLS - SITE PLAN , PHASE 4

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

TAB 4

WEST ELEVATION AND FLOOR PLAN, PHASE 4

EMAN SCHOOLS

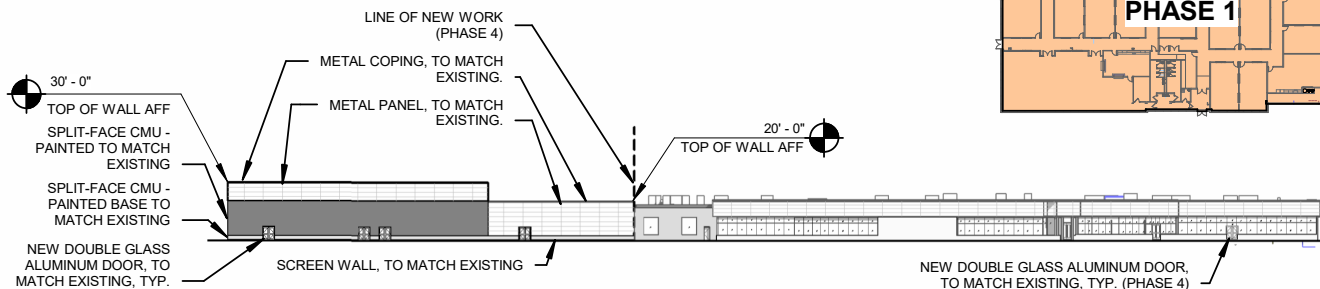
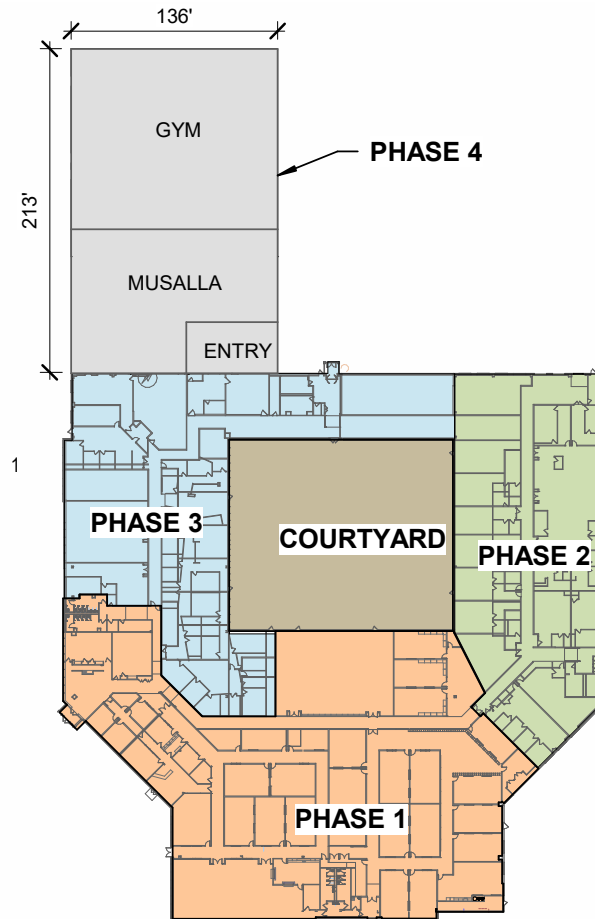
SCOPE OF WORK LEGEND

PHASE 1 - AUGUST 2025
 PHASE 2 - AUGUST 2027
 PHASE 3 - AUGUST 2030
 PHASE 4 - AUGUST 2032 [GYM + MUSALLA]

FLOOR PLAN SCALE: 1" = 100'



ELEVATION SCALE: 1" = 80'

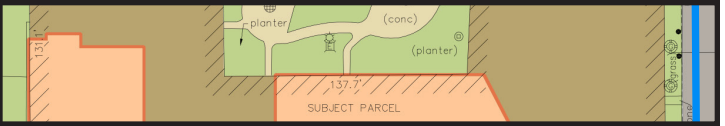


EMAN SCHOOLS - WEST ELEVATION AND FLOOR PLAN , PHASE 4

12115 Visionary Way, Fishers, IN 46038

December 5, 2024

TAB 5



December 2, 2024

Eman Schools
11965 Allisonville Road
Fishers, IN 46038

RE: Eman Schools at Visionary Way

To whom It May Concern,

The City of Fishers and its traffic consultant have reviewed the above-mentioned project with respect to the access points, ingress/egress, and traffic for the new Eman Schools drop off/pickup. Based on the number of trips that will be generated by the school at each different phase of the development, the City requests the following information be provided with its variance application for Engineering's review:

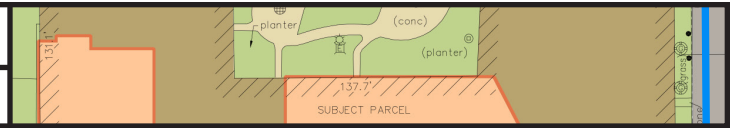
- A detailed drop-off/pick up plan for each phase of the development. This plan shall include proposed efficiencies in loading multiple cars at a time similar to how Hamilton Southeastern schools perform pickup and drop-offs.
- During Phase 1, Eman Schools may use Visionary Way as its ingress to use the existing entrance at the SW corner of the building for drop-offs and pick-ups. If at any point during Phase 1, traffic issues arise or a new development comes to the north of Eman Schools, the City shall provide Eman Schools a 30-day notice to completely self-contain drop-off to the eastern roadway and relocate the pick-up and drop-off to the north or eastern side of the building.
- For Phase 2 and beyond, the eastern roadway shall serve the ingress and the egress of the school while Visionary Way, and its potential redesign, shall serve Launch Fishers along with the future development north of the school.
- To avoid future conflicts with AM and PM rush hours, the school schedule shall be adjusted to start at 8:30 am and end at 3:30 pm. This is to alleviate further impacts to the road network immediately adjacent to the school at the intersections of Technology Way and Commercial Drive, 116th & Commercial Drive and 126th & Lantern Roundabout. This is to avoid future conflicts with AM and PM Rush hours.

The City will make the following roadway adjustments to account for Eman Schools at Visionary Way:

- Stop sign shall be installed along Technology Drive East/West and Technology Way.
- Remove the existing stop sign on Technology Way Northbound at the intersection of Technology way & Technology Drive.
- New pavement marking on Technology way to accommodate extra capacity for left turn traffic onto Commercial Drive southbound.

DIRECTOR OF ENGINEERING LETTER

EMAN SCHOOLS



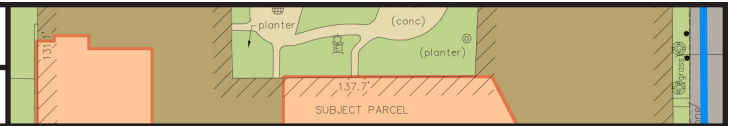
Sincerely,

A handwritten signature in black ink, appearing to read 'Hatem Mekky'.

Hatem Mekky, P.E., MSCE

Director of Engineering, City of Fishers

TAB 6



Subject: Proposed Traffic Management Plan for Eman Schools Pickup Operations

Dear Ms. Baumgartner,

I hope this email finds you well. I am reaching out to share updates regarding the traffic management plan we are implementing at Eman Schools to enhance safety and streamline the flow of vehicles during student pickup times. Below are the key measures we plan to adopt:

- **Traffic Cones for Queue Management:**
 - During pickup, staff will place cones in the Southwest (SW) parking lot to guide traffic flow and create two lanes for queuing vehicles.
- **Restriction on Cars Leaving the SW Parking Lot:**
 - Vehicles parked in the SW parking lot will not be permitted to leave during pickup times to ensure smooth traffic flow and reduce congestion.
- **Loading Zone Configuration:**
 - A designated loading zone will be created, consisting of two rows with four cars each.
 - Eight students will be allowed to load into their respective vehicles within this loading zone at a time.
- **Exit Plan for Loaded Vehicles:**
 - Once loaded, the eight vehicles will exit the parking lot and turn north to leave the Eman Schools property.

These measures are intended to improve traffic safety and efficiency for our students, families, and the surrounding community. Please let us know if there are any additional requirements or considerations that we should address to ensure compliance with city regulations.

We value your support and guidance in making this process as effective as possible. Should you have any questions or need further information, feel free to contact me directly.

Thank you for your time and assistance.

Best regards,

Dr. Shaker Rashid

Superintendent, Eman Schools
srashid@emanschool.net



Board of Zoning Appeals Staff Report

Meeting Date: December 18, 2024

DEPARTMENT CONTACT:

Christy Cashin (cashinc@fishers.in.us)

CASE NUMBER:

VA-24-26

PETITIONER:

Mark Leach (mark.leach@faegredrinker.com)

PROPERTY ADDRESS/LOCATION:

13682 Bent Grass Ln

REQUEST: Consideration of a Development Standard Variance from Section 5.4.8.D.2.b of the City's Unified Development Ordinance (UDO) to allow a drive-up window, exterior menu board, and speakers, associated with a restaurant or coffee house, within 400 feet of any building zoned or used for residential purposes.

APPLICABLE REGULATIONS:

Fishers Marketplace PUD

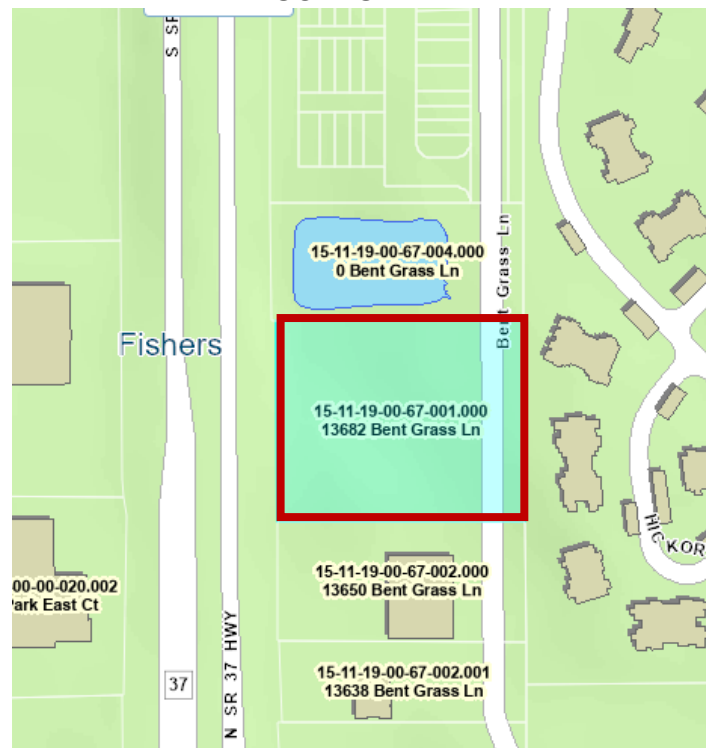
EXISTING ZONING:

PUDM (Fishers
Marketplace PUD)

FISHERS 2040:

Employment Node

LOT SIZE: 2.19 Acres

LOCATION MAP**STAFF RECOMMENDATION**

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

ZONING HISTORY:

The property is currently zoned PUDM (Fishers Marketplace PUD, Ordinance No. 070506 and amendment Ordinance No. 081511A).

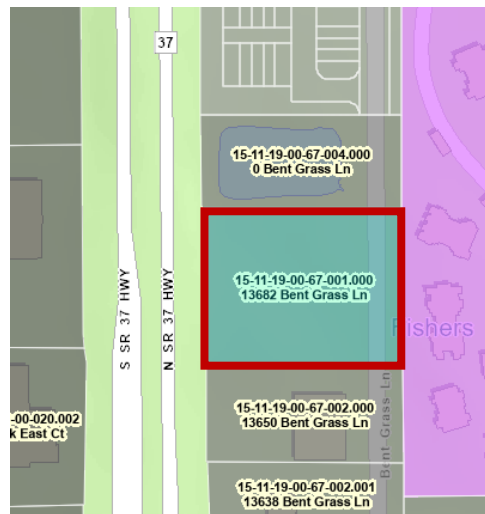
SURROUNDING ZONING & LAND USE:

North: PUDM – Marketplace Towns PUD (residential)

South: PUDM – Fishers Marketplace PUD (commercial use)

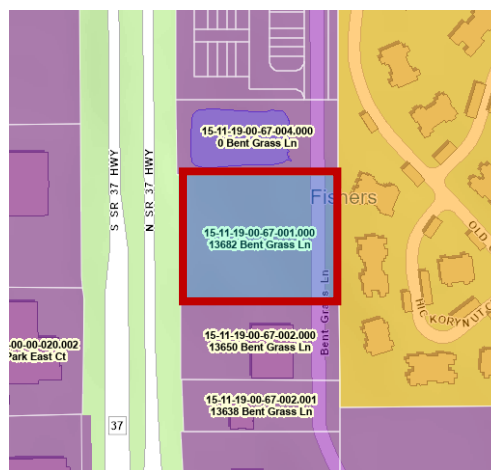
East: I1 – Industrial (multi-family residential)

West: PUDC – Fishers Trade Center PUD (commercial use)



FISHERS 2040 COMPREHENSIVE PLAN

The Fishers 2040 Plan identifies this area as Employment Node. The variance request aligns with this vision.



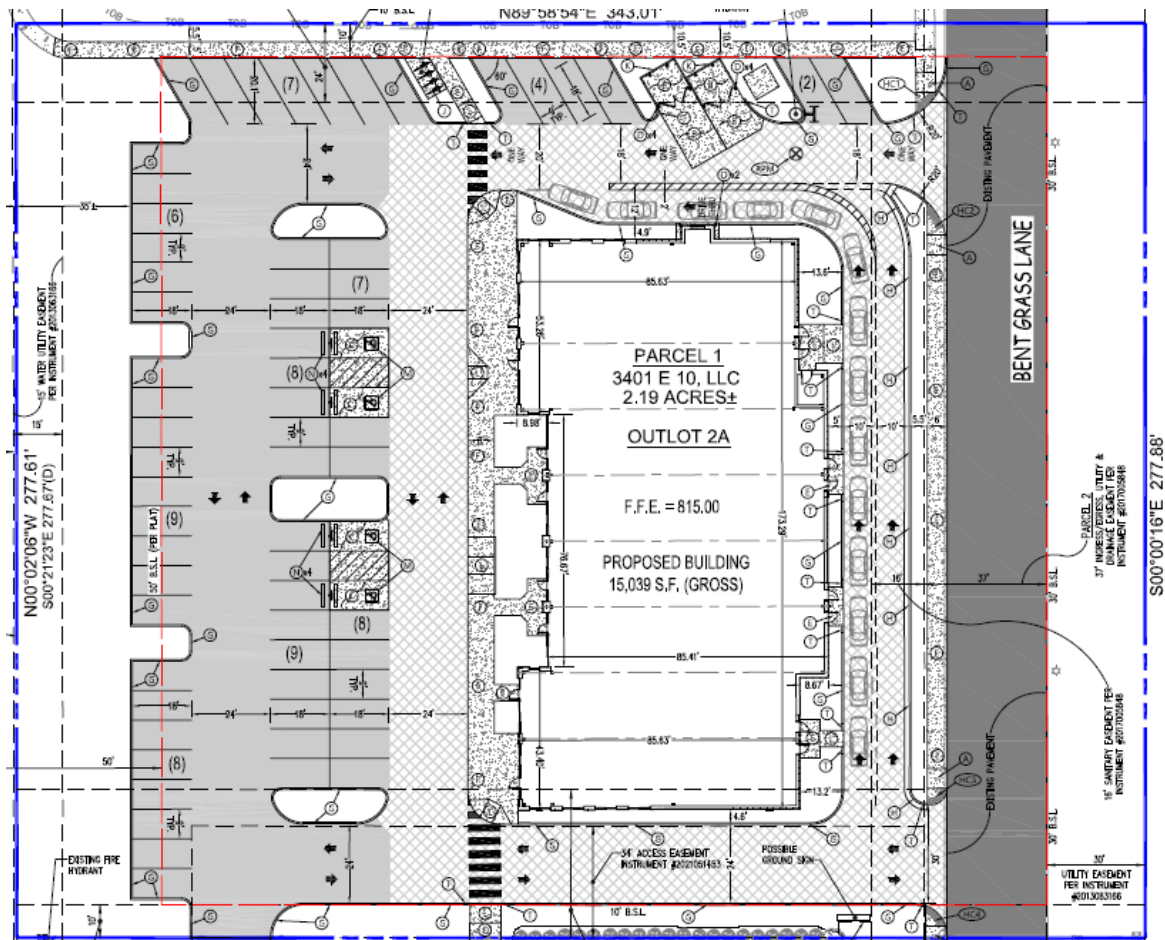
SUMMARY OF PUBLIC COMMENTS:

At the time of writing this staff report, no public comments were received.

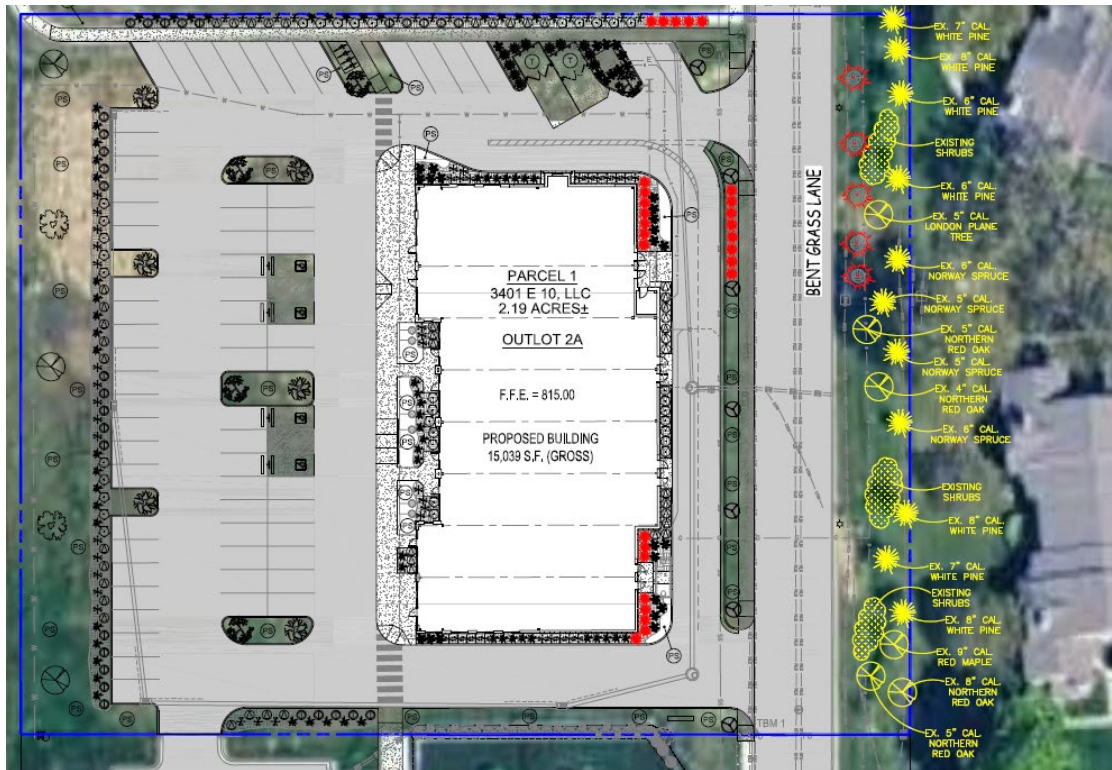
PETITION OVERVIEW:

The petitioner is requesting a development standard variance to allow a drive-up window, exterior menu board, and/or speakers within less than 400 ft from residential. The proposed location of the menu board is 125 ft from the residential units to the east and the drive-up window is 281 ft from the residential units to the north.

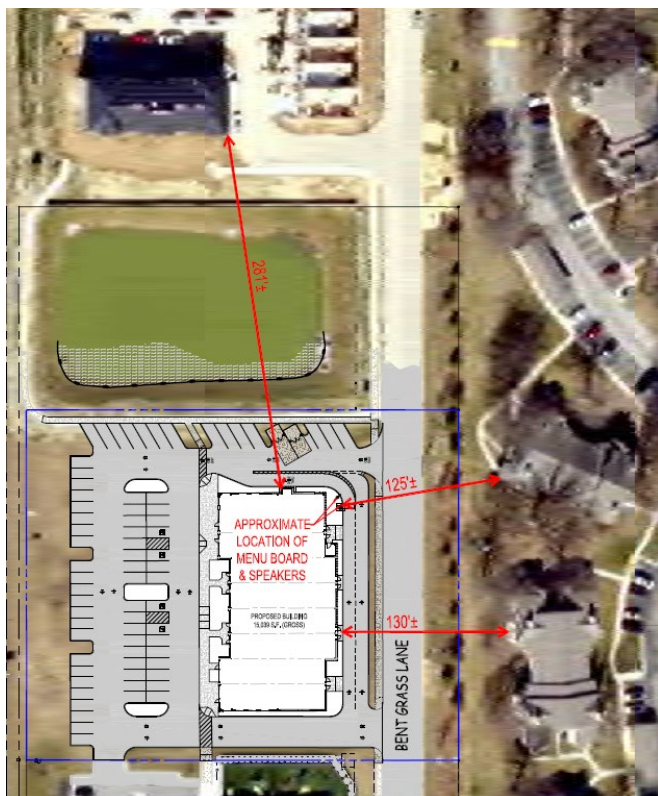
The petitioner plans to screen the menu board with the addition of landscaping. They plan to add a row eight 6 ft tall Pyramid Arborvitae (mature height of 15-25 ft) directly east of the menu board and five 6 ft tall Blue Point Juniper (mature height of 12 ft) along the east side of Bent Grass Lane. There are also five 6 ft tall Pyramid Arborvitae screening the menu board on the north side of the property, just north of the parking spaces at the northeast corner of the property.



Site plan, showing drive-thru location



Landscape plan, showing menu board landscape screening



Distance to residential from menu board and drive-up window



West elevation



East elevation



North elevation



South elevation

STAFF RECOMMENDATION:

Staff recommends approval of this request.

If the Board approves this variance staff requests the following condition:

1. The Approval Letter and related documentation be recorded on the property with the Hamilton County Recorder's Office.

STAFF RECOMMENDATION

☐ Approve

☐ Continue

☐ Deny

☒ No Recommendation

Bent Grass Marketplace

13682 Bent Grass Lane



3401 E 10 LLC



PRESENTED BY
MINDY WESTRICK BROWN



Board of Zoning Appeals - Fishers | December 18, 2024

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<u>Tab 5</u>	Landscaping Plans
<u>Tab 6</u>	Additional Information

3401 E 10 LLC:
Adeeb Alashmely, Member
Lotf Almulaiki, Member

Warstler Realty Group, LLC:
Robert B. Warstler, Principal/
Managing Partner
11650 Olio Rd., Suite 1000 - 358
Fishers, IN 46037

Civil Site Group, Inc.:
Eric A. Gleissner, P.E., Principal
718 Adams St., Suite E
Carmel, IN 46032

Studio 3 Design, Inc.:
Timothy Cover, Vice President
10748 Sky Prairie St.
Fishers, IN 46038

McCrea Property Group, LLC:
Keith B. Fried, CRX, CLS,
Director of Leasing
301 Pennsylvania Pkwy., Suite 225
Indianapolis, IN 46280

Faegre Drinker Biddle & Reath LLP:
Mindy Westrick Brown, Counsel
Mark R. Leach, Land Use Planner
600 East 96th St., Suite 600,
Indianapolis, IN 46240
Telephone: (317) 569-9600

TAB 1

EXECUTIVE SUMMARY	
BENT GRASS MARKETPLACE	

Warstler Realty Group, LLC (the “Developer”), on behalf of 3401 E 10 LLC (the “Property Owner”), is pleased to propose Bent Grass Marketplace as part of Fishers Marketplace located on 2.19 +/- acres at 13682 Bent Grass Lane (the “Real Estate”) (please see the Aerial Location Maps at Tab 2).

About Warstler Realty Group

Warstler Realty Group is a developer of both retail and mixed-used developments throughout Indiana and Southwest Florida. They have developed seven shopping centers in Fishers and another four shopping centers and three 100 + acre mixed-use developments within Hamilton County, all of which are 100% leased and fully built out. Tenants within their properties include Starbucks, McDonalds, Ascension Health, Community Health, F.C. Tucker, Pappa Johns, Dunkin Donuts, Sherwin Williams, Prime Carwash, Get Go, Jiffy Lube, etc.

About 3401 E 10 LLC

3401 E 10 LLC is a new partnership group with a passion for high-quality commercial real estate with a focus on retail spaces. 3401 E 10 LLC aims to design and build vibrant retail environments that cater to the growing needs of the community and create thriving hubs for businesses and customers alike. Through meticulous planning and a passion for excellence, the company plans to contribute to the economic growth and appeal of Fishers.

About the Development

Bent Grass Marketplace is proposed to be a neighborhood shopping center featuring both local, regional, and national tenants. Warstler Realty Group has incorporated an architecturally pleasing design with an abundance of landscaping / plantings (please see the Architecture and Floor Plan at Tab 3, the Site Plans at Tab 4, and the Landscaping Plans at Tab 5).

The development is located on the west side of Bent Grass Lane just north of the intersection with East 135th Street. The parcel is bounded by State Road 37 to the west. The subject site is platted as Lot 2A of Fishers Marketplace and is currently a vacant outlot covered mainly with grass and weeds. A 15,039 square-foot multi-tenant commercial building is being proposed along with the associated parking, drainage, and utility infrastructure. The overall subject site is 2.19+/- acres in size; however, the proposed improvements will only be disturbing approximately 1.8+/- acres. The property is part of the master planned Fishers Marketplace development. Private roads for Ingress/egress along with utilities and stormwater infrastructure (including stormwater detention) have been provided and master planned for the subject site.

Total project costs will represent an investment of approximately \$4,500,000 in the Fishers’ community. If approved, site development activities are expected to begin in early 2025 with completion in late spring. Building construction is expected to be completed by mid-summer 2025, and building tenants are anticipated to open in late summer.

About the Development Standards Variance

To develop the project as proposed, a variance is needed from Section 5.4.8.D.2.b. of the UDO to allow drive-up exterior menu boards and speakers, associated with a restaurant or coffee house, a minimum of 120 feet from buildings that are zoned or used for residential purposes when 400 feet is required by the UDO (please see Tab 4). While easements prevent the construction of any type of screening wall, additional Pyramid Arborvitae shrubs and additional Andorra Juniper evergreen trees are proposed (over and above the UDO required landscaping) as screening plantings a minimum of six feet in height (please see Tab 5).

Thank you for your consideration.

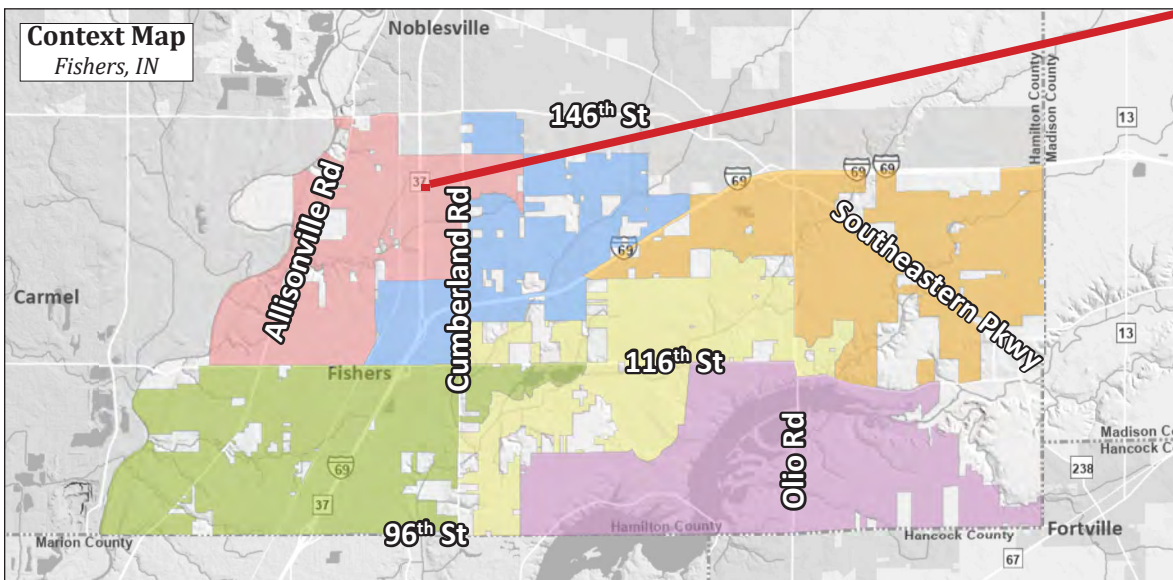
TAB 2

AERIAL LOCATION MAP (+/- 2.19 ACRES)

BENT GRASS MARKETPLACE



REAL ESTATE

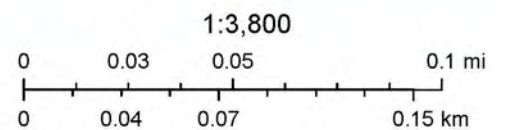


AERIAL LOCATION MAP (+/- 2.19 ACRES)

BENT GRASS MARKETPLACE



REAL ESTATE



TAB 3



NORTHWEST VIEW



SOUTHWEST VIEW

BENT GRASS RETAIL

FISHERS MARKETPLACE, LOT 2A

10-24-2024



WEST ELEVATION



EAST ELEVATION

BENT GRASS RETAIL

FISHERS MARKETPLACE, LOT 2A

10-24-2024



PARAPET
24' - 0"

LEVEL 1
0"

NORTH ELEVATION



PARAPET
24' - 0"

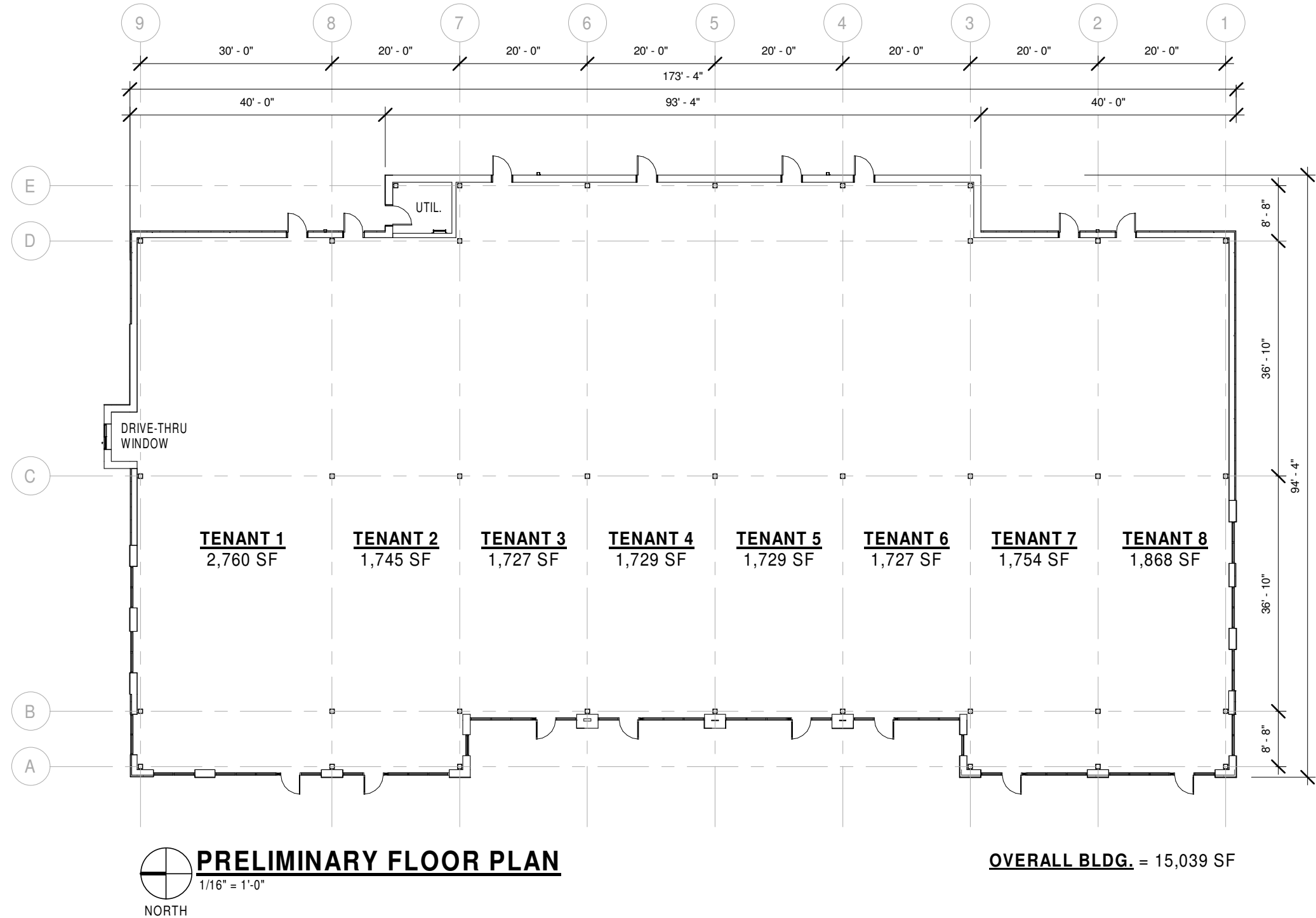
LEVEL 1
0"

SOUTH ELEVATION

BENT GRASS RETAIL

FISHERS MARKETPLACE, LOT 2A

10-24-2024



BENT GRASS RETAIL

FISHERS MARKETPLACE, LOT 2A

10-24-2024

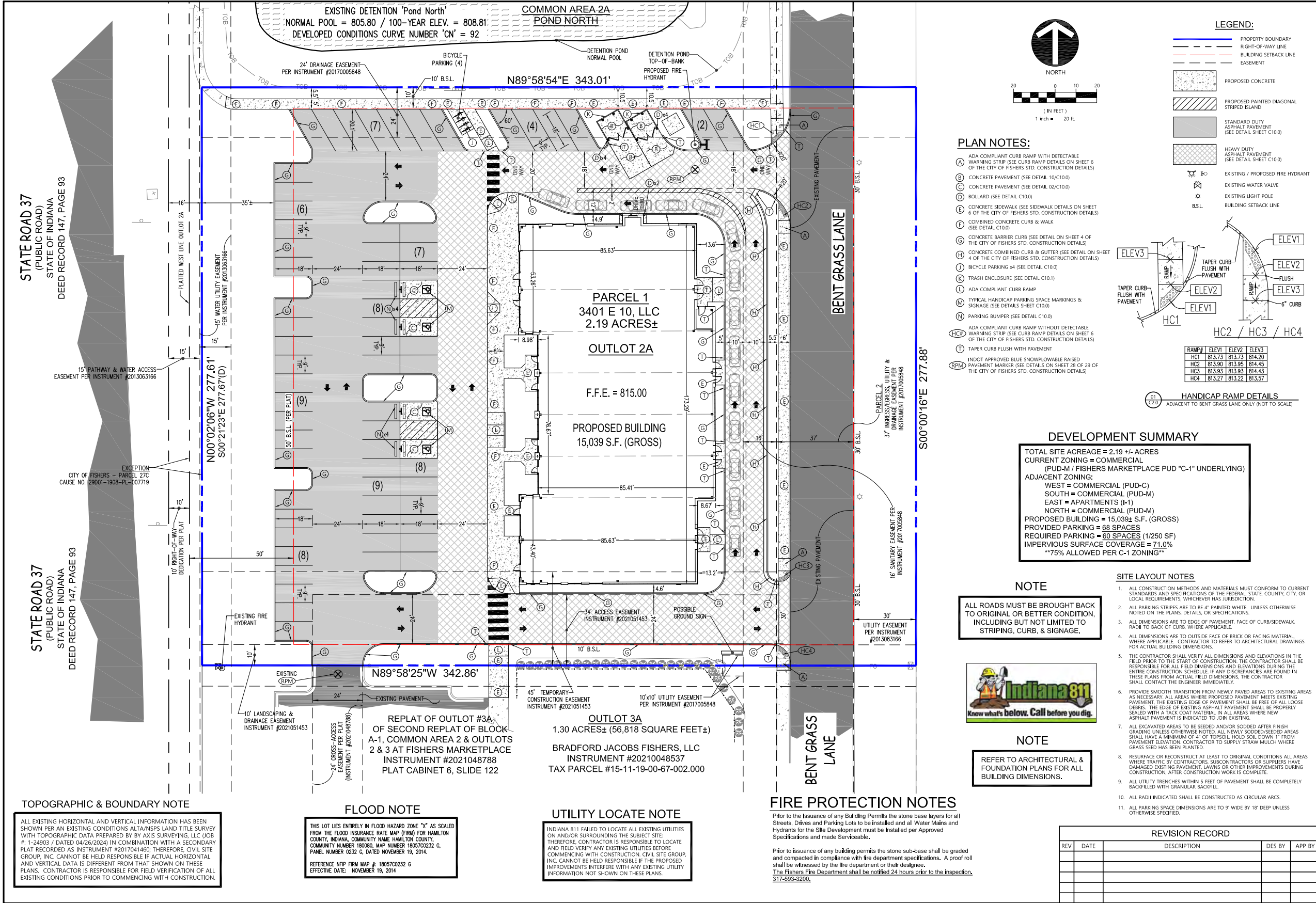


10748 Sky Praire St.
Fishers, IN 46038
Phone: (317) 595.1000
Fax: (317) 572.1236

TAB 4

SITE PLANS

BENT GRASS MARKETPLACE



3401 E 10, LLC
5358 WEST 38th STREET
INDIANAPOLIS, IN 46254

CIVIL SITE GROUP, INC.
718 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 610-1077

EMILY A. GLEISNER
REGISTERED PROFESSIONAL ENGINEER
STATE OF INDIANA
No. PE10403859
DATE 12/02/24

DWN BY: EAG
CHKD. BY: EAG
SCALE: 1" = 20'
DATE: 12/02/24

BENT GRASS MARKETPLACE - LOT 2A
13682 BENT GRASS LANE (FISHERS MARKETPLACE)
FISHERS, INDIANA 46038

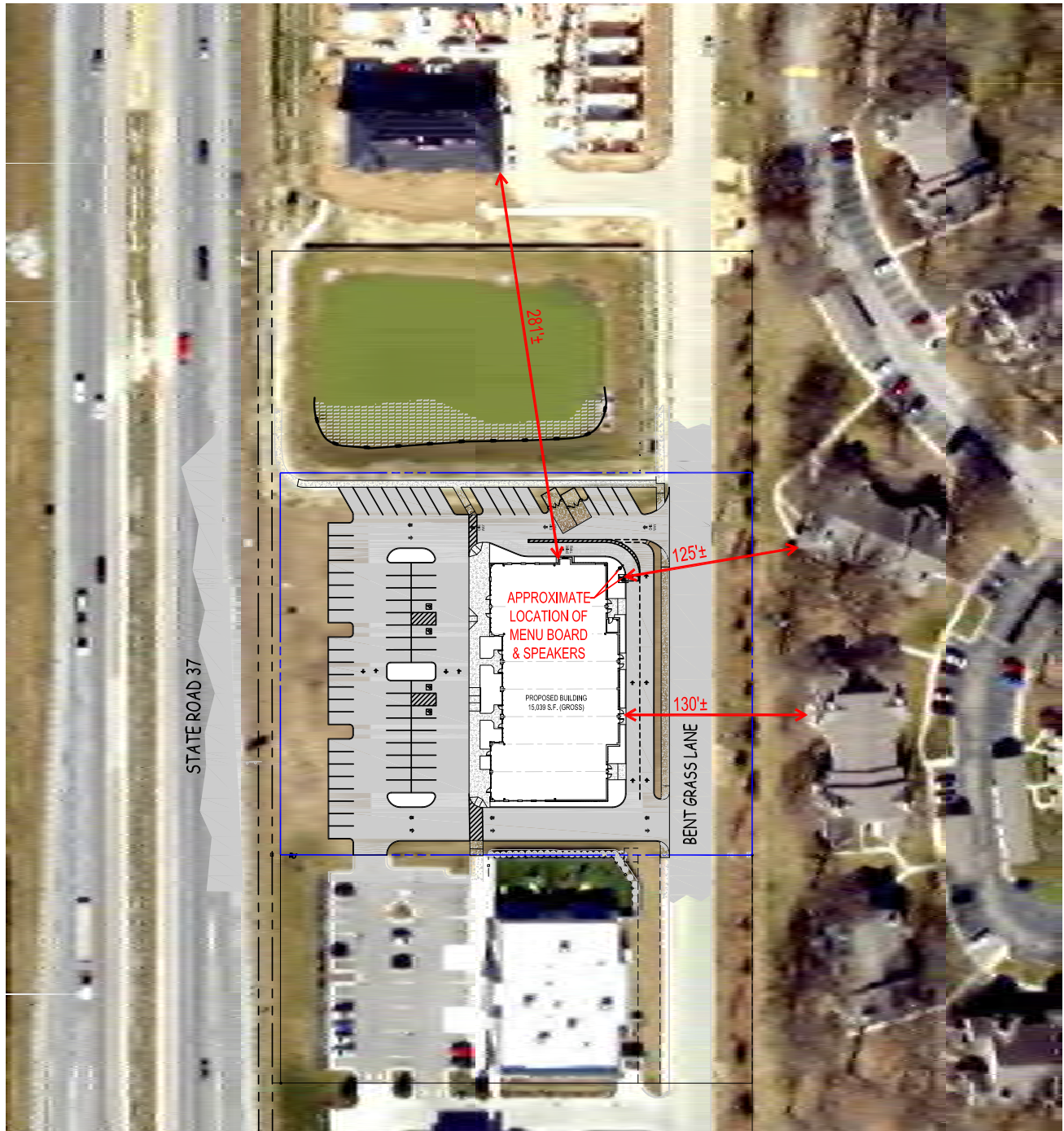
SITE PLAN

PROJECT NUMBER
LAL.001

DRAWING NUMBER
C2.0
SHEET 3 OF 28

SITE PLANS

BENT GRASS MARKETPLACE



LOT 2A / FISHERS MARKETPLACE
13682 BENT GRASS LANE
FISHERS, IN 46038



CSG PROJECT NUMBER
LAL.001

DATE: 11/04/24
DWN. BY: EAG
CHKD. BY: EAG
SCALE: 1" = 100'

SHEET 1 OF 1

CIVIL SITE GROUP, INC.

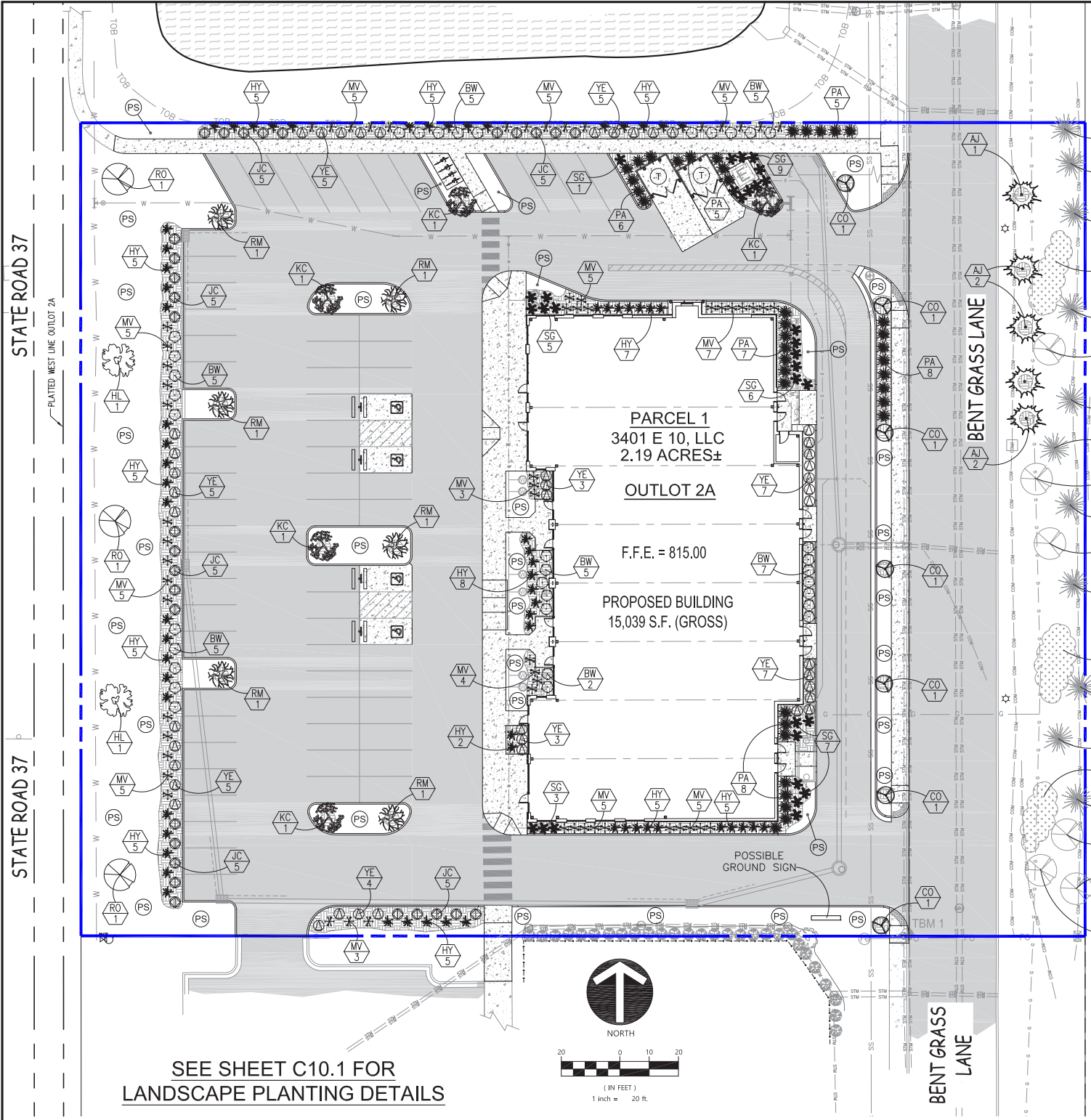
718 ADAMS STREET, SUITE E
CARMEL, INDIANA 46032
(317) 810-1677

Civil Site
GROUP, INC.

TAB 5

LANDSCAPING PLANS

BENT GRASS MARKETPLACE



LANDSCAPE NOTES:
All species of plant materials and substitutions thereof are subject to acceptance by the City of Fishers Development Department and approval of the Owner(s) or a representative of the Owner(s).
All plant materials are to be warranted for a period of no less than one year from final acceptance by the Owner(s) or a representative of the Owner(s).
All plant material is to be planted in a manner that ensures its survival. Any environmental or other type of situation that is noted by the landscape Contractor that could potentially injure the plant or shorten its longevity is to be made known to the Owner(s) and potential substitutions or corrections to the situation can be made at no expense to the Contractor.
All materials falling the one year warranty period are to be replaced at the expense of the Landscape Contractor.
Any deviation from responsible landscape practices and the Town of Fishers Ordinances will result in the immediate termination of the Landscape Contract and the Contractor will pay all costs associated with the corrections.
All plant material is to come from respectable sources within 100 miles of the site on which it is being installed. If no source for a plant species or acceptable substitute is available within this area, the project Landscape Architect/Engineer is to be notified immediately to make a determination of possible options.
All plant material is subject to approval by the project Landscape Architect/Engineer prior to installation and may be rejected for reasons of health, aesthetics, size or other reasonable causes.
The Landscape Contractor is responsible for the timely installation of all material in his contract. Should there be a delay due to weather or other unforeseeable, natural circumstances, the timeline will be adjusted.
IRRIGATION CONTRACTOR IS RESPONSIBLE TO SUPPLY WATER METER PIT, SERVICE TAPS AT PUBLIC MAIN, AND ALL APPURTENANCES REQUIRED BY THE WATER SERVICE PROVIDER.

- LEGEND:**
- PROPERTY BOUNDARY
 - RIGHT-OF-WAY LINE
 - PROPOSED CONCRETE
 - PROPOSED PAINTED DIAGONAL STRIPED ISLAND
 - EXISTING / PROPOSED FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING LIGHT POLE
 - PROPOSED STORM SEWER
 - SUBSURFACE DRAIN (SEE DETAIL SHEET C10.0)
 - PROPOSED ELECTRIC SERVICE
 - PROPOSED WATER SERVICE
 - PROPOSED GAS SERVICE
 - PROPOSED SANITARY LATERAL
 - PROPOSED PRIMARY 36" DUKE ENERGY ELECTRIC TRANSFORMER
 - EX. SANITARY SEWER MAIN
 - EX. STORM SEWER LINE
 - EX. UNDERGROUND WATER LINE
 - EXISTING CABLE TV PEDESTAL
 - 3-INCH DEEP HARDWOOD MULCH BED (COLOR SELECTED BY OWNER)

- PLAN NOTES:**
- TRASH ENCLOSURE (SEE DETAIL SHEET C10.1)
 - PERMANENT SEEDING W/STRAW MULCH ALTERNATE: NURSERY SOD

EXISTING 30' BUFFERYARD (EAST OF BENT GRASS LANE)

- BENT GRASS LANE:**
BENT GRASS LANE FRONTAGE = 278± L.F.
- Existing Evergreen Tree (White Pine or Norway Spruce) (Qty. 11) - (5" Cal. to 9" Cal.)
 - Existing Deciduous Tree (Northern Red Oak, Red Maple or London Plane Tree) (Qty. 6) - (5" Cal. to 9" Cal.)
- ADDITIONAL PROPOSED LANDSCAPING:**
EVERGREEN TREES PROVIDED = 5
- AJ - Juniperus horizontalis 'Plumosa' - Andorra Juniper (Qty. 5) - (Min. 6' Height)

FOUNDATION PLANTINGS

- FOUNDATION PLANTINGS:**
BUILDING PERIMETER = 560± L.F.
SHRUBS REQUIRED = 56
(1 SHRUB PER 10 L.F. OF BUILDING)
SHRUBS PROVIDED = 126 (225% OF REQUIRED)
- MV - Viburnum acerifolium - Mapleleaf Viburnum (Qty. 29) - (Min. 24" Height)
 - HY - Hydrangea aborescens - Smooth Hydrangea (Qty. 27) - (Min. 24" Height)
 - BW - Boxus x Koreana - Green Velvet Boxwood (Qty. 14) - (Min. 24" Height)
 - YE - Taxus x media - Yew (Qty. 20) - (Min. 24" Height)
 - SG - Panicum vigatum - Switch Grass (Qty. 21) - (Min. 24" Height)
 - PA - Thuja occidentalis 'Pyramidalis' - Pyramid Arborvitae (Qty. 15) - Evergreen Shrub (Min. 6' height)

PERIMETER PARKING LOT LANDSCAPING

- PARKING LOT PERIMETER PLANTINGS:**
PARKING LOT PERIMETER = 490± L.F.
SHRUBS REQUIRED = 147
(30 SHRUBS PER 100 L.F. OF PARKING LOT)
SHRUBS PROVIDED = 152
- MV - Viburnum acerifolium - Mapleleaf Viburnum (Qty. 33) - (Min. 24" Height)
 - HY - Hydrangea aborescens - Smooth Hydrangea (Qty. 40) - (Min. 24" Height)
 - BW - Boxus x Koreana - Green Velvet Boxwood (Qty. 20) - (Min. 24" Height)
 - YE - Taxus x media - Yew (Qty. 24) - (Min. 24" Height)
 - JC - Juniperus communis - Common Juniper (Qty. 30) - (Min. 24" Height)
 - PA - Thuja occidentalis 'Pyramidalis' - Pyramid Arborvitae (Qty. 5) - Evergreen Shrub (Min. 6' height)

SRTEET TREES

- STATE ROAD 37:**
STATE ROAD 37 FRONTAGE = 278± L.F.
TREES REQUIRED = 5
(1 TREE PER 60 L.F. OF FRONTAGE)
TREES REQUIRED / PROVIDED = 5

- BENT GRASS LANE:**
BENT GRASS LANE FRONTAGE = 278± L.F.
TREES REQUIRED = 7
(1 TREE PER 40 L.F. OF FRONTAGE)
TREES REQUIRED / PROVIDED = 7
SHRUBS REQUIRED = 0
ADDITIONAL SHRUBS PROVIDED = 8

- RO - Quercus rubra - Northern Red Oak (Qty. 3) Shade Tree (Min. 1.5" Caliper 6" Above Ground)
- HL - Glendista triacanthos var. inermis - Thornless Honeylocust (Qty. 2) - Shade Tree (Min. 1.5" Caliper 6" Above Ground)
- CO - Quercus robur 'fastigiata' - Columnar Oak (Qty. 7) - (Min. 1.5" Caliper 6" Above Ground)
- PA - Thuja occidentalis 'Pyramidalis' - Pyramid Arborvitae (Qty. 8 - Evergreen Shrub (Min. 6' height)

INTERIOR PARKING LOT LANDSCAPING

- INTERIOR PARKING LOT PLANTINGS:**
PARKING AREA = 11,016± S.F.
SHADE TREES REQUIRED = 11
(2 SHADE TREES PER 2,000 S.F. OF PARKING AREA)
SHADE TREES REQUIRED / PROVIDED = 11
- KC - Gymnodanus dioica - Kentucky Coffeetree (Qty. 5) - Shade Tree (Min. 1.5" Caliper 6" Above Ground)
 - RM - Acer rubrum - Red Maple (Qty. 6) - Shade Tree (Min. 1.5" Caliper 6" Above Ground)
 - PA - Thuja occidentalis 'Pyramidalis' - Pyramid Arborvitae (Qty. 11 - Evergreen Shrub (Min. 6' height)
 - SG - Panicum vigatum - Switch Grass (Qty. 10) - (Min. 24" Height)

REVISION RECORD				
REV	DATE	DESCRIPTION	DES BY	APP BY

LANDSCAPE NOTE
ALL LANDSCAPING SHALL BE IN ACCORDANCE WITH THE CITY OF FISHERS ZONING ORDINANCE. THE MINIMUM LANDSCAPING IMPROVEMENTS ARE SUBJECT TO FINAL INSPECTION.

SPECIES NOTE
THE SPECIES OF THE TREES AND SHRUBS SHOWN ON THIS LANDSCAPE PLAN ARE SUBJECT TO CHANGE BASED ON SEASONAL AVAILABILITY. ALL SUBSTITUTIONS WILL BE OF SPECIES APPROVED BY THE CITY OF FISHERS.

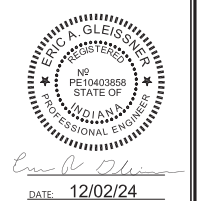
IRRIGATION NOTE
SITE IRRIGATION IS NOT SHOWN ON THESE PLANS. IF SITE IRRIGATION IS REQUIRED, CONTRACTOR SHALL WORK WITH THE LOCAL WATER UTILITY TO DETERMINE THE REQUIREMENTS & LOCATION FOR THE IRRIGATION METER & SITE IRRIGATION SYSTEM.

UTILITY LOCATE NOTE
INDIANA 811 FAILED TO LOCATE ALL EXISTING UTILITIES ON AND/OR SURROUNDING THE SUBJECT SITE. THEREFORE, CONTRACTOR IS RESPONSIBLE TO LOCATE AND FIELD VERIFY ANY EXISTING UTILITIES BEFORE COMMENCING WITH CONSTRUCTION. CIVIL SITE GROUP, INC. CANNOT BE HELD RESPONSIBLE IF THE PROPOSED IMPROVEMENTS INTERFERE WITH ANY EXISTING UTILITY INFORMATION NOT SHOWN ON THESE PLANS.



3401 E 10, LLC
5358 WEST 38th STREET
INDIANAPOLIS, IN 46254

CIVIL SITE GROUP, INC.
718 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 610-1077



DWN BY: EAG
CHKD. BY: EAG
SCALE: 1" = 20'
DATE: 12/02/24

BENT GRASS MARKETPLACE - LOT 2A
13682 BENT GRASS LANE (FISHERS MARKETPLACE)
FISHERS, INDIANA 46038

LANDSCAPE PLAN
(SEE SHEET C10.1 FOR LANDSCAPE PLANTING DETAILS)

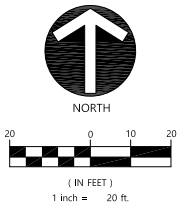
PROJECT NUMBER
LAL.001

DRAWING NUMBER
L1.0
SHEET 16 OF 28



- LEGEND:**
- PROPERTY BOUNDARY
 - RIGHT-OF-WAY LINE
 - PROPOSED CONCRETE
 - PROPOSED PAINTED DIAGONAL STRIPED ISLAND
 - EXISTING / PROPOSED FIRE HYDRANT
 - EXISTING WATER VALVE
 - EXISTING LIGHT POLE
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 - PROPOSED WATER SERVICE
 - PROPOSED GAS SERVICE
 - PROPOSED SANITARY LATERAL
 - PROPOSED PRIMARY 36 DUKE ENERGY ELECTRIC TRANSFORMER
 - EX. SANITARY SEWER MAIN
 - EX. STORM SEWER LINE
 - EX. UNDERGROUND WATER LINE
 - EXISTING CABLE TV PEDESTAL
 - 3-INCH DEEP HARDWOOD MULCH BED. (COLOR SELECTED BY OWNER)

- PLAN NOTES:**
- T TRASH ENCLOSURE (SEE DETAIL SHEET C10.1)
 - PS PERMANENT SEEDING W/STRAW MULCH ALTERNATE: NURSERY SOD



REVISION RECORD				
REV	DATE	DESCRIPTION	DES BY	APP BY

3401 E 10, LLC
5358 WEST 38th STREET
INDIANAPOLIS, IN 46254

CIVIL SITE GROUP, INC.
718 Adams Street, Suite E
Carmel, Indiana 46032
Ph: (317) 910-1977

INDIANA 811
REGISTERED PROFESSIONAL ENGINEER
ERIC A. GLEISNER
No. 0403856
STATE OF INDIANA
DATE: 12/02/24

DWN BY: EAG
CHKD. BY: EAG
SCALE: 1" = 20'
DATE: 12/02/24

BENT GRASS MARKETPLACE - LOT 2A
13682 BENT GRASS LANE (FISHERS MARKETPLACE)
FISHERS, INDIANA 46038

LANDSCAPE EXHIBIT

PROJECT NUMBER
LAL.001

DRAWING NUMBER
Exhibit
SHEET 1 OF 1

TAB 6

ADDITIONAL INFORMATION

BENT GRASS MARKETPLACE



LAND DESCRIPTIONS

PARCEL 1:
Part of Outlot 2A of the Second Re-Plat of Block A-1, Common Area 2 & Outlots 2 & 3 at Fishers Marketplace, per plat thereof, recorded as Instrument Number 2017041460 in the Office of the Recorder of Hamilton County, Indiana, more particularly described as follows:
BEGINNING at a 5/8-inch diameter rebar with a cap stamped "ASI FRM #0094" set flush (hereinafter referred to as "set rebar") at the northeast corner of said Outlot 2A, the following two (2) courses are along the east and south lines thereof: 1) thence South 00 degrees 00 minutes 16 seconds East 277.88 feet to a rebar with a set rebar (basis of bearings per said Re-Plat); 2) thence North 89 degrees 58 minutes 25 seconds West 342.86 feet to a set rebar at the southwest corner of Parcel 27C as described in Cause No. 25001-1908-PL-007719 in the Hamilton Superior Court; thence North 00 degrees 00 minutes 05 seconds West 277.01 feet along the east line of said Parcel 27B to a set rebar on the north line of said Outlot 2A; thence North 89 degrees 58 minutes 54 seconds East 343.01 feet along said north line to the POINT OF BEGINNING. Containing 2.187 acres, more or less.

EXCEPTING THEREFROM:

That part of the above described property conveyed to City of Fishers, by Judgment in City of Fishers vs ONB Realty I, LLC et al., Cause No. 25001-1908-PL-007719, filed March 5, 2020, in the Hamilton Superior Court 1, Hamilton County, Indiana, described as follows:
A part of Outlot 2A in the Second Re-Plat of Block A-1, Common Area 2 & Outlots 2 & 3 at Fishers Marketplace, an Addition to Hamilton County, Indiana, the plat of which is recorded in Plat Cabinet 5, Slide 717 in the Office of the Recorder of Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked EXHIBIT "B", described as follows: Beginning at the northwest corner of said Outlot 2A, designated as point "617" on said plat; thence along the north line of said Outlot 2A North 89 degrees 40 minutes 17 seconds East 6.00 feet to point "618" designated on said plat; thence South 0 degrees 21 minutes 23 seconds East 277.87 feet to the south line of said Outlot 2A; thence along said south line South 89 degrees 43 minutes 11 seconds West 6.00 feet to the southwest corner of said Outlot 2A; thence along the west line of Outlot 2A North 0 degrees 21 minutes 23 seconds West 277.67 feet (277.61 feet per said Second Re-Plat) to the point of beginning and containing 0.038 acres, more or less.

PARCEL 2:

Non-Exclusive Easement for Ingress and Egress, Utility and Drainage for the benefit of Parcels 1, 2 and 3 as set out on the recorded plat of the Secondary Re-Plat of Block A-1, Common Area 2 & Outlots 2, 3 & 4, at Fishers Marketplace, recorded February 08, 2017, as Instrument No. 2017005848, in Plat Cabinet 5, Slide 641, in the Office of the Recorder of Hamilton County, Indiana.

NOTE: The above land descriptions describe one and the same tract of land noted in Exhibit A of First American Title Insurance Company Commitment Number 1007081 dated March 14, 2024, however, said descriptions contained in the commitment are not one and the same as noted in the record deeds and contain typographical errors. It is unknown where the descriptions noted herein originated. The above Parcel 1 and 2 were granted to Thomas A. Grant, Inc. per Special Warranty Deed recorded as Instrument #2020076954. The Exception tract was granted to the City of Fishers per Judgment in City of Fishers vs ONB Realty I, LLC et al., Cause No. 25001-1908-PL-007719, filed March 9, 2020, in the Hamilton Superior Court 1, Hamilton County, Indiana.

SURVEYOR'S REPORT

In accordance with Title 36S, Article 1, Chapter 12 of the Indiana Administrative Code ("Rule 12"), the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established this survey as a result of uncertainties in reference monumentation; in record descriptions and plats; in lines of occupation; and as introduced by random errors in measurement ("Relative Positional Accuracy"). There may be unwritten rights associated with these uncertainties. The client should assume there is an amount of uncertainty along any line equal in magnitude to the discrepancy in the location of the lines of possession from the surveyed lines.

There may be differences of deed dimensions versus measured dimensions along the boundary lines shown hereon and, likewise, there may be found survey markers near, but not precisely at, some boundary corners. In cases where the magnitude of these differences are less than the Relative Positional Accuracy stated below and less than the uncertainty identified for the reference monumentation (discussed below), the differences may be considered insignificant and are shown only for purposes of mathematical closure. Such differences that are greater than the Relative Positional Accuracy and the uncertainty in reference monumentation should be considered worthy of notice and are therefore further discussed below.

This survey and report are based in part upon opinions formed in accordance with an Indiana Land Surveyor's responsibility to conduct a survey in accordance with "law or a precedent" (86S IAC 1-2-11(5), Rules of the Indiana State Board of Registration for Land Surveyors). Since Indiana has no statutes addressing how to resolve boundary lines, a solution based on principles derived from common law precedent must be relied upon as the basis for a boundary resolution.

Unless otherwise noted or depicted hereon, there is no evidence of occupation along the perimeter lines of the subject tract.

Monuments were set or found flush with the surface, unless otherwise noted during the course of this survey. There may be 5/8" rebar with red plastic caps stamped "X" found on or near the subject real estate. These are working points and not to be confused as monuments marking the boundaries of the subject property. Monuments found at or near the deed corners, or along the deed lines of the subject real estate are indicated on the drawing. Monuments were not set in those cases where a found monument was not in exact agreement with this survey, but within the tolerances required for the survey, because the difference is either deemed insignificant or for reasons discussed herein. The difference may be shown on the survey to accurately the uncertainty of that corner. In those cases where the difference is greater than the relative positional accuracy or uncertainty in controlling monuments, caution should be exercised before making any improvements along the lines affected. Those uncertainties considered to be significant are discussed below.

The monuments at the corners of the subject real estate established this survey are within the acceptable relative positional accuracies for an Urban Survey, 0.07 feet (1 millimeters) plus 50 parts per million as defined in 86S IAC 1-2-7.

The purpose of this project was to perform and prepare a Retacement Survey on the real estate that has been described hereon under direction and instructions from the client.

The surveyed parcel of land is a part of Outlot 2A of the Second Re-Plat of Block A-1, Common Area 2 & Outlots 2 & 3 at Fishers Marketplace, per plat thereof, recorded as Instrument Number 2017041460 in the Office of the Recorder of Hamilton County, Indiana. Since the land was platted additional right-of-way was granted to the City of Fishers per Judgment in City of Fishers vs ONB Realty I, LLC et al., Cause No. 25001-1908-PL-007719, filed March 5, 2020, in the Hamilton Superior Court 1, Hamilton County, Indiana, and is shown hereon as an "EXCEPTION".

Within this report reference may be made to a "lot" or "lots" and it should be noted that this reference may be used interchangeably with the term "Outlot". For the record plat, monuments were set marking the corners of the platted lots. Several of these monuments were found in the field as noted and considered "original" monuments. The plat geometry was aligned to them. There is, in my opinion, a negligible amount of uncertainty associated with these monuments found and held as they are original monuments marking the location of the surveyed lot and other lots within the subdivision.

Lots within platted subdivisions are created simultaneously, therefore, typically there are usually no seniorjunior rights, therefore there are no deed gaps or overlaps with adjoining along the perimeter lines of the subject tract based on controlling calls contained in record land descriptions.

Basis of bearings shown is per the record plat for Fishers Marketplace and is not based upon Indiana State Plane Coordinates - East Zone.

Access to the site is obtained Bent Grass Lane. Said roadway is not public and lies within an access easement as shown.

Occupation means some observable improvement either man-made or a natural barrier manipulated by man to delineate the boundary line. It should be noted that not all fences are erected to define boundary lines and caution is warranted before accepting this type of barrier as such. One should also be aware that when these types of occupation are not in agreement with deed lines certain unwritten rights may exist over the land between them. Those parties relying on the survey should assume that the uncertainty of ownership of these areas where occupation lines and deed lines are not in concordance is, at least, equal to the magnitude of the difference. Unless otherwise noted or shown on the survey, there is no visible evidence of occupation (possession) along the deed lines of the subject real estate.

A concrete walk from the north adjoining lot crosses the north line onto the surveyed parcel and lies as much as 12.4 feet south of said line. The top of bank around the pond on said lot lies along the north line.
A fire hydrant and water valve lie 0.8 feet south of the south line. End of curb and asphalt lie on said line. End of a concrete walk lies on the line. A plastic fence lies 1.5 feet south of the line and a row of bushes lies north of the fence in a landscaped area. Storm manholes lie north of the landscaped area. Bent Grass Lane crosses through the property within the access easement. Underground utilities lie on both sides of the roadway as shown and east of the east line.

There is a negligible amount of uncertainty associated with the location of these lines of occupation. Those improvements which cross onto the surveyed parcel lie within dedicated easements.

The horizontal and vertical location data shown on this survey are based upon a positional solution derived from Global Positioning System (GPS) observations processed by National Geodetic Survey (NGS) utilizing their Online Positioning User Service (OPUS) software. The coordinate values shown are in the Indiana State Plane Coordinate System - West Zone reference to the 1983 North American Datum utilizing the Continuously Operating Reference Stations (CORS) adjustment as determined by NGS (NAD_83(2011)EPCOR2010.0000).

Ownership information indicated hereon is as identified in County or Township records or on title work provided by others.

Per the Hamilton County GIS and City of Fishers GIS, the site does not lie within 75 feet of a regulated legal drain. The Krause & Klepper drain lies approximately 1600 feet south of the site.

FLOOD INFORMATION

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced Flood Insurance Rate Map. The within described tract of land lies within Flood Hazard Zone X unshaded, an area of minimal flood hazard, as said tract plots by scale on Community Parcel Number 180623 0332 G, the Flood Insurance Rate Maps for the Town of Fishers, Hamilton County, Indiana (maps dated November 19, 2014).

UTILITY INFORMATION

The locations of utilities shown hereon are based on above ground structures and/or locations as marked by others. No excavations were made during the progress of this survey to locate buried utilities/structures. AXIS Surveying encourages the use of the Indiana Underground Plant Protection Services (UAPS), a.k.a. "Noley Noley." These services are available by telephone at 1-800-382-3544 or through the Internet at www.uaps.org. Indiana 811 was contacted on 4/10/2024, Ticket No. 2404103401.

The following utility members were notified:
STORM, SEWER, WATER - City of Fishers
SEWER - City of Noblesville
GAS - Centertown Energy (North)
WATER - Citizens Water
ELECTRIC - Duke Energy
COMMUNICATIONS - Windstream; AT&T Distribution; Everstream, LLC (South)
FIBER OPTIC - Metronet Fibernet, LLC; Level 3 now Lumen, Everstream, LLC (South)
CABLE TV - Comcast Cable (Indianapolis)

TITLE COMMITMENT NOTES

Evidence of source of title for the subject tract was provided in the form of First American Title Insurance Company Commitment Number 1007081, dated March 14, 2024. Some of the items disclosed in Schedule BII thereof may have been depicted on the survey and are identified by their recording data. Should any additional items need to be depicted on the survey please advise and provide the appropriate documents.

NOTE: The land description contained in Schedule A is not the same as shown hereon.

- Restrictive Covenant - Instrument #2014056219 - Blanket in nature. Note - Exhibit A notes "Block A-1" per the plat recorded as Instrument #201309488 as being part of the "Excluded Parcel". Said block did not exist until the Replat of Blocks A & D recorded as Instrument #2013063166.
- Declaration of Covenants and Easements - Instrument #2013068073 - Easement areas depicted within the exhibits appear to be one and the same as shown on the current plat. The easement areas are not defined within this document and include the access easement which is Bent Grass Lane, the drainage and utility easement which lies within the area of said access easement, a drainage easement which encompasses most of Common Area 2A and utility easements on each side of the access easement.
- Easements with Covenants and Restrictions Affecting Land - Instrument #2013045020 - The surveyed parcel lies within the "excluded parcel" noted within this document.
- First Amendment to Easements with Covenants and Restrictions Affecting Land - Instrument #2016000690 - Blanket in nature.
- Declaration of Sanitary Sewer Restrictions - Instrument #2008038990 - Blanket in nature. Restricts location of sanitary sewer lines and improvements near them.
- Declaration of Sanitary Sewer Restrictions - Instrument #2007047777 - Blanket in nature. Restricts location of sanitary sewer lines and improvements near them.
- Declaration of Easements, Covenants and Restrictions for Fishers Marketplace - Instrument #2006075312 - Describes the entire 103 acre development which is subject to this document. Blanket in nature.
- Amendment to Declaration of Easements, Covenants and Restrictions for Fishers Marketplace - Instrument #2013022897 - Deletes Lots 1, 2, 3, 4, 5 and 6 from the Declaration. Does not apply to the surveyed parcel.
- Second Amendment to Declaration of Easements, Covenants and Restrictions for Fishers Marketplace - Instrument #2015064856 - Deletes Outlot 5A from the Declaration. Does not apply to the surveyed parcel.
- Termination of Declaration of Easements, Covenants and Restrictions for Fishers Marketplace - Instrument #2016017321 - In this document may or may not terminate the entire Declaration of Easements, Covenants and Restrictions for Fishers Marketplace. In my opinion, it is terminating said Declaration in regards to Blocks B and C, the "Resorts" real estate and making it subject to the FM North Parcel Declaration, Instrument #2013368073.
- Designation of Developer's Rights - Instrument #2013022896 - Blanket in nature. Surveyed parcel is a part of the overall development described.
- Release of Rights - Instrument #2013024704 - Releases Lot 4F. Does not apply to the surveyed parcel.
- Release of Rights - Instrument #2013062070 - Releases Lot 2. Does not apply to the surveyed parcel.
- Release of Rights - Instrument #2014027915 - Releases Lot 4A. Does not apply to the surveyed parcel.
- Commitments Concerning the use or Development of Real Estate made in Connection with a Development Plan Approval, Zone Map Change or Planned Unit Development Required by the Town of Fishers Zoning Ordinance - Instrument #200500021251 - Blanket in nature.
- Modification - Instrument #2000073522 - Blanket in nature.
- Modification - Instrument #2011034623 - Blanket in nature.
- Surveyed parcel is a part of the overall development described.
- Non-Enforcement Consent for Utility in Drainage Easement - Instrument #2011034623 - Location of the regulated drain does not lie near the surveyed parcel.
- Contract for Extension of Sewer Mains and Facilities - Instrument #2013022408 - Surveyed parcel lies within the area described in Exhibit A. The sanitary sewer described does not lie on or adjoin the surveyed parcel. Blanket in nature.
- Stormwater Operation and Maintenance Manual - Instrument #2013052044 - The surveyed parcel does not appear to lie near the area depicted. Said area is not specifically defined.
- Stormwater Operation and Maintenance Manual - Instrument #2013050245 - The pond lying north of the surveyed parcel is depicted within this document which may apply to that portion of the drainage easement which lies adjacent to Common Area 2A.
- Easement Agreement - Instrument #2021051453 - Shown on survey.
- Ordinance No. 033094C entitled An Ordinance Annexing Certain Territory to the Town of Fishers, Hamilton County, Indiana - Instrument #5006267 - Surveyed parcel does not lie within the area described. Per reference in this document, surveyed property was likely annexed via Ordinance #1201635.
- Warranty Deed - Instrument #2008005323 - Area granted does not lie within or adjacent to the surveyed parcel.
- Secondary Re-Plat of Block A-1, Common Area 2 and Outlots 2, 3 and 4 at Fishers Marketplace - Instrument #2017005848, Plat Cabinet 5, Slide 641 - Easements and setbacks per this plat are shown hereon.
- 75' right of entry - 54S-M048-Krause & Klepper legal drain - Said drain lies approximately 1600 feet south of the surveyed parcel.

NOT INCLUDED

Cause No. 25001-1908-PL-007719 - Defines limits of limited access right-of-way along west line.

NOTE

Recording information for the easements shown refer to the following prior plats of the site:
Secondary Re-Plat of Block A-1, Common Area 2 & Outlots 2, 3 & 4 at Fishers Marketplace - Plat Cabinet 5, Slide 641, Instrument #2017005848
Secondary Re-Plat of Blocks A & D at Fishers Marketplace - Plat Cabinet 5, Slide 133 - Instrument #2013063166
Secondary Plat for Fishers Marketplace - Plat Cabinet 5, Slide 46 - Instrument #2013009488

"PER PLAT" noted hereon refers to the current record plat for the surveyed parcel - Instrument #2017041460

CERTIFICATE OF SURVEY

ALTANS/NSP Land TITLE SURVEY
Tania M. Strug, Inc., an Indiana corporation
3401 E. 10, LLC
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTANS/NSP Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1-4, 7(b)(1), 7(c), 6, 9 and 13 of Table A thereof. The fieldwork was completed on April 18, 2024.

To the best of my knowledge and belief the within plat also represents a survey made under my supervision in accordance with Title 86S, Article 1, Chapter 12 of the Indiana Administrative Code.

REDACTION STATEMENT

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Tania M. Strug
This document was prepared by Tania M. Strug.



FISHERS MARKETPLACE

13682 BENT GRASS LANE
FISHERS, IN 46038

ALTANS/NSP LAND
TITLE SURVEY

PROJECT LOCATED IN:
OUTLOT 2A
FISHERS MARKETPLACE
SE 1/4 SECTION 19
TOWNSHIP 18 NORTH
RANGE 5 EAST

PREPARED FOR:
LOTF ALMULAKI

Complete Surveying Services for Commercial - Construction - Residential
(317) 841-1508 - www.AXISindy.com P.O. BOX 30936 - Indianapolis, IN 46250

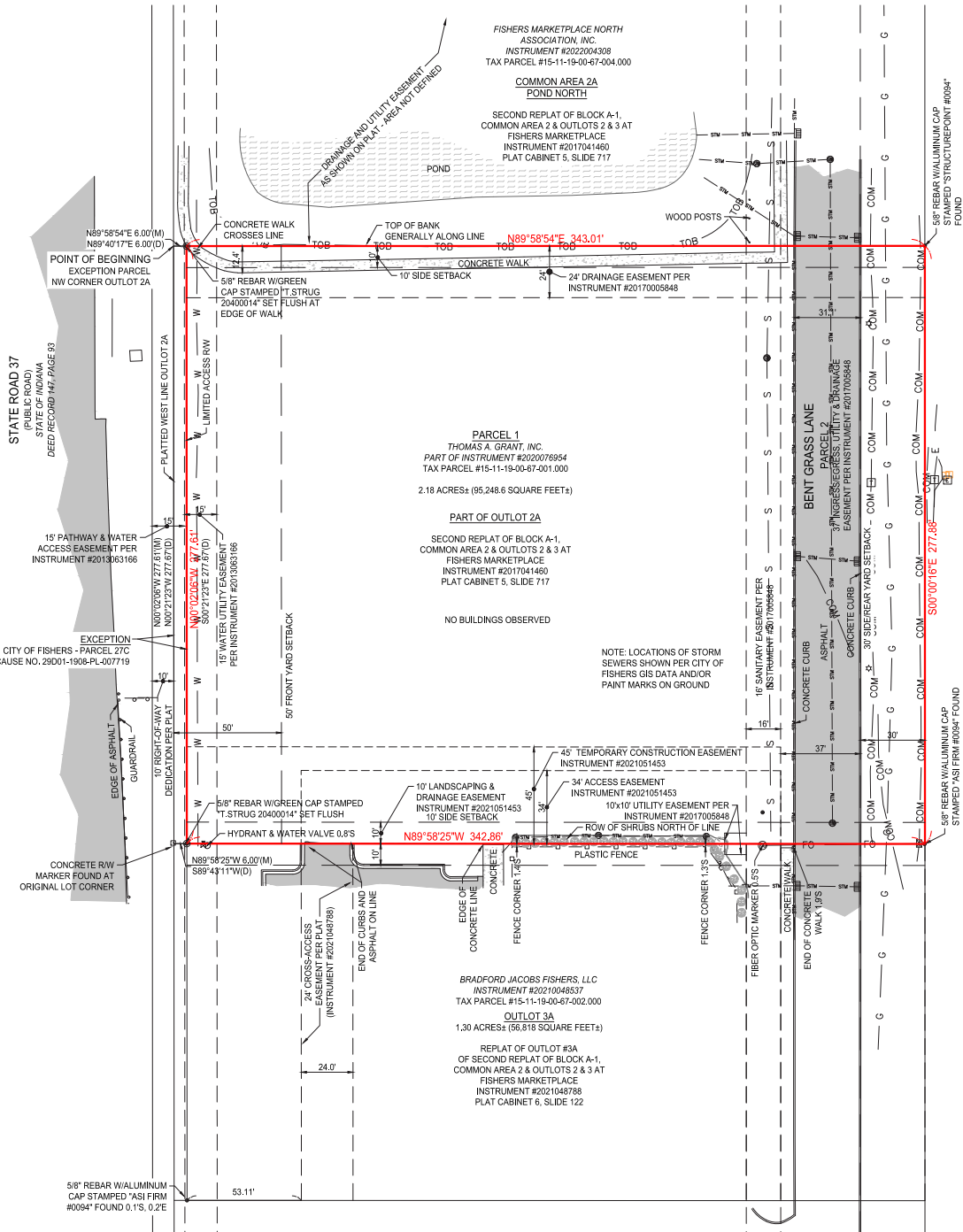


DRAWN BY: TMS
CHECKED BY: T. STRUG
ISSUE DATE: 4/26/2024

REV#	DATE	REVISIONS	COMMENT

PROJECT NUMBER
1-24903

SHEET
1 OF 1

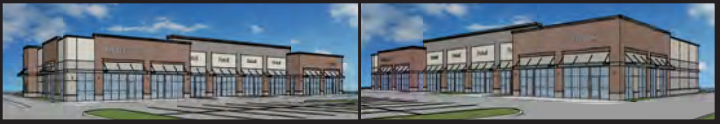


PARKING COUNT	
NONE	
DRAWING LEGEND	
—	PLASTIC FENCE
—	GAS LINE
—	WATER LINE
—	STORM SEWER LINE
—	SANITARY SEWER LINE
—	COMMUNICATIONS LINE (FIBER/TELEPHONE/CATV)
—	ELECTRIC LINE
—	OVERHEAD UTILITY LINES
—	LOT LINE
—	BOUNDARY LINE
—	CENTER LINE
—	SETBACK LINE
—	EASEMENT LINE (AS NOTED)
(D)	DEED BEARING-DISTANCE
(M)	MEASURED BEARING-DISTANCE
(P)	PLATTED BEARING-DISTANCE
R/W	RIGHT-OF-WAY LINE
CONC.	CONCRETE
WATER METER	
WATER VALVE	
GAS METER	
GAS VALVE	
TRANSFORMER	
CLEAN OUT	
TELEPHONE PEDESTAL	
ELECTRIC METER	
ELECTRIC POLE	
5/8" REBAR W/ GREEN CAP STAMPED "T. STRUG 202400014"	
SET FLUSH	
MONUMENT FOUND AS DESCRIBED	
SIGN	
MANHOLE	
INLET	
UTILITY POLE	



ADDITIONAL INFORMATION

BENT GRASS MARKETPLACE



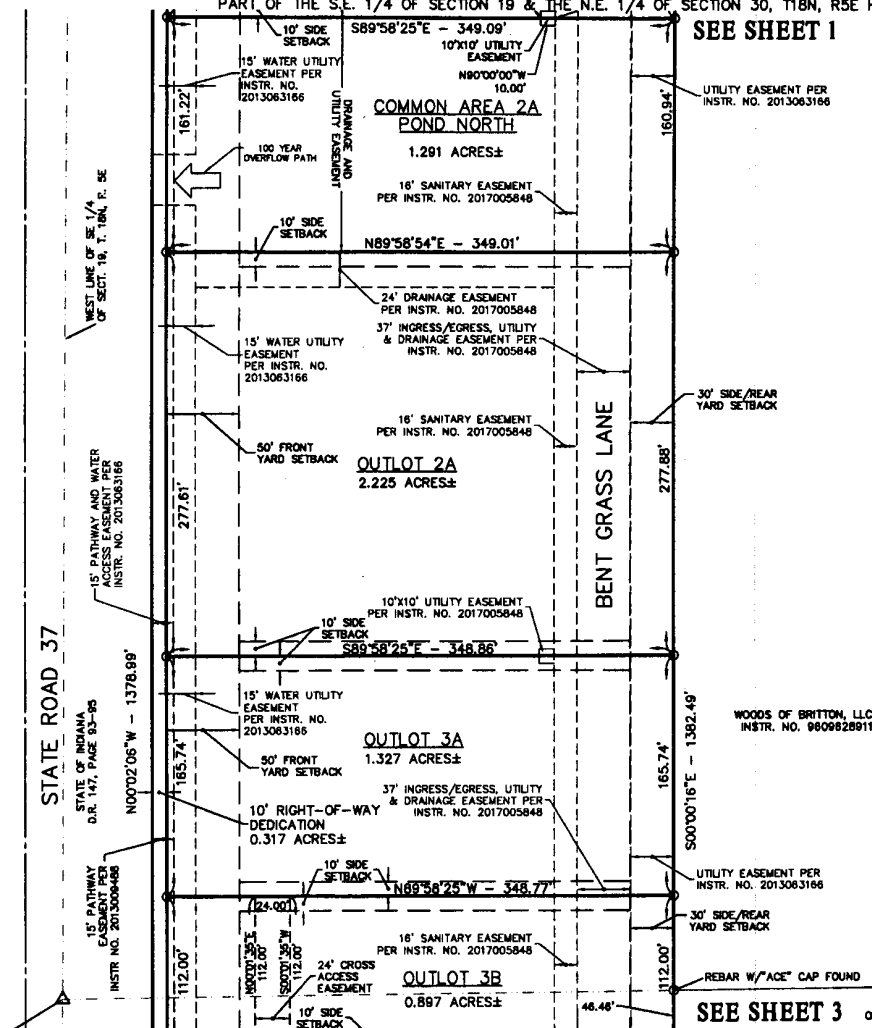
SECOND RE-PLAT OF BLOCK A-1, COMMON AREA 2 & OUTLOTS 2 & 3 AT FISHERS MARKETPLACE

PART OF THE S.E. 1/4 OF SECTION 19 & THE N.E. 1/4 OF SECTION 30, T18N, R5E HAMILTON COUNTY, INDIANA

SEE SHEET 1

PCS slide 717

2017041488 PLAT 848.00
08/24/2017 02:05:31P 4 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented



WOODS OF BRITTON, LLC
INSTR. NO. 9809828011



LEGEND:

- 3/4" DIAMETER REBAR W/CAP STAMPED "STRUCTUREPOINT - 0004" SET, UNLESS OTHERWISE NOTED

SEE SHEET 3 NORTH LINE OF NE 1/4 OF SECT. 30, T. 18N, R. 5E

OWNERS/SUBDIVIDERS:

OMB REALTY I, LLC
900 E 98TH ST.
SUITE 500
INDIANAPOLIS, IN 46240

LAND SURVEYOR:

Michael J. Smith
AMERICAN STRUCTUREPOINT, INC.
7280 SHADELAND STATION
INDIANAPOLIS, IN 46256
317-547-5580



AMERICAN
STRUCTUREPOINT
INC.

SHEET 2 of 4

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