

Jeffersonville Town Center Planned Unit Development

Development Standards

(Veterans Parkway South)

November, 2017

(Revised April 28, 2023)

DEVELOPMENT STANDARDS

JEFFERSONVILLE TOWN CENTER

These Development Standards are made and entered into effective November 20, 2017 by and between Koetter Five Star Properties Indiana, LLC(hereinafter referred to as "Koetter Five Star"), an Indiana limited liability company, Jeffersonville Town Center, LLC (hereinafter referred to as "Jeffersonville Town Center"), an Indiana limited liability company, and Jake Commercial Properties LLC (hereinafter referred to as "Jake Commercial"), an Indiana limited liability company, collectively the owners of 77.841 acres of real property commonly known as Jeffersonville Town Center, situation on Veteran's Parkway and bisected by Town Center Drive, in Jeffersonville, Indiana, as more particularly described in Exhibit "A" attached hereto (the "Property"). The following was submitted February 2017, approved April 2017, and revised April 28, 2023.

I. Introduction

The Property is zoned C2-PD pursuant to PC-17-21, approved from the Jeffersonville Plan Commission March 14, 2017. A Detailed Development Plan and initial development standards for a portion of the Property known as Veterans Parkway South, were approved by the Jeffersonville Plan Commission April 25, 2017 pursuant to PC-17-30. These additional development standards are appended to the standard district zoning classification through the Planned Development procedures set for in the City of Jeffersonville Zoning Ordinance, Article Eight.

II. Intent of Planned Development

The purpose of the regulations provided below is to promote a harmony of uses within the Jeffersonville Town Center that includes shared services and facilities, which is compatible with surrounding areas and fosters the creation of an attractive, healthful, efficient and stable environment to work and shop. Through its designation as PD-C2, the Jeffersonville Town Center Development Plan intends to provide common design features for vehicular and pedestrian circulation, parking, lighting, signage, landscaping and architecture.

III. Definitions

"Outparcel Building": a freestanding building with space less than eighteen thousand (18,000) square feet.

"Screening": A method of visually shielding or obscuring one abutting or nearby structure or use from; another by fencing, walls, berms, or densely planted vegetation.

IV. Permitted Uses

Institutional/Public Facilities

- Hospital

Business: Auto Sales/Services

- Auto body repair shop
- Auto parts store
- Auto repair shop
- Auto sales (open air, with showroom, full-service mechanical with or without body shop)
- Auto service (tire or muffler shop)

Business Food Sales/Service

- Convenience store (with gas pumps)
- Drive-in restaurant
- Grocery/supermarket
- Restaurant

Business: General Business

- Hotel
- Motel
- Plant Nursery
- Wholesale business

Business: Office Professional

- Bank/Credit Union
- Bank machine/ATM
- Drive-thru bank machine/ATM
- Drive-thru bank/credit union
- Office complex
- Medical/dental clinic

Business: Personal Service

- Barber/beauty shop
- Drive-thru cleaning service
- Dry cleaning service
- Fingernail salon
- Fitness center/gym
- Health spa
- Tanning salon

Business: Recreation

- Banquet hall
- Bowling alley
- Theater, indoor (not adult entertainment)
- Video store

Business: Retail

- Antique shop
- Apparel shop
- Department store
- Drug store
- Electrical supplies
- Fabric shop
- Floor coverings
- Flower shop
- Furniture store
- Enclosed shopping mall
- Gift shop
- Hardware store
- Heating and cooling sales/service
- Home electronics/appliance store
- Jewelry store
- Liquor store
- Music store
- News dealer/bookstore (not adult entertainment)
- Office supplies
- Paint store
- Plumbing supplies
- Sporting goods store
- Variety store

Miscellaneous

- Accessory uses

V. Special Exception Uses

Business: Auto sales/service

- Auto sales (open air, limited mechanical services or body shop)
- Auto sales (open air, no services)
- Auto service station
- Auto wash
- Oil change service (enclosed)
- Recreational vehicle sales (motor home sales)

Business: Food sales/service

- Convenience store

Business: General business

- Airport
- Boat sales/service

- Funeral home/mortuary
- Helipad or heliport
- Light rail station
- Sign painting/fabrication
- Mini-storage facility (mini warehouse)
- Motor bus station
- Railroad station

Business: Recreation

- Ball fields
- Bar/night club (not adult entertainment)
- Theater, outdoor (not adult entertainment)

Business: Retail

- Lumber yard
- Satellite sales/service
- Kennel (commercial)

Communication/Utilities

- Public wells
- Radio/TV station
- Telecommunication facility

VI. Development Standards

All structures, buildings, land uses, land use changes, structural alterations, structural relocations, demolitions and structural enlargements that are constructed, created, established or occurring within the defined development plan area are subject to the following development standards and regulations. Standards listed below are to supersede regulations set forth by the City of Jeffersonville zoning ordinance. In the event a proposed item is not addressed by the following standards, then the requirements of the C2 Zoning district of the City of Jeffersonville Zoning Ordinance shall apply.

A. Basic Development Guidelines

1. Lot Dimensions

- Minimum Lot Area: 20,000 sq. ft.
- Minimum Lot Width: 65 feet
- Minimum Lot Depth: 2.5 times the lot width
- Minimum Lot Frontage: 70 feet on public street or private driveway

2. Sewer and Water

- All uses with the development require municipal water or sewer hookup.

3. Setbacks

The following setbacks are provided for primary and accessory structures within the Jeffersonville Town Center development plan:

Front Yard = thirty-five (35) feet from Veterans Parkway and Charlestown-New Albany Pike, twenty five (25) feet from Town Center Boulevard and Hamburg Pike for primary and accessory structures.

Side Yard = five (5) feet for primary and accessory structures or twenty-five (25) feet when a lot's side yard is adjacent to a property line on the perimeter of the development in which the adjacent property is not road right-of-way.

Rear Yard = five (5) feet for primary and accessory structures or twenty-five (25) feet when a lot's rear yard is adjacent to a property line on the perimeter of the development in which the adjacent property is not road right-of-way

4. Maximum Lot Coverage

- Square feet of all primary and accessory structures and impervious surface cannot exceed 85% of the lot area.
- Pervious surface will consist of creek preservation area, landscaped areas, parking lot islands, lawn areas in public open space.

5. Minimum Main Floor Area

- Two thousand (2,000) square feet for primary structure

6. Maximum Structure Height

- Fifty (50) feet for primary structure
- Twenty (20) feet for accessory structure

7. Open Space

Open space in the development area: The following features contribute to the overall open space requirements:

- Creek Preservation Area
- Setback adjacent to right-of-way
- Parking Lot Islands

B. Additional Development Standards

1. Height Standards

No structure may be erected or changed so as to make its height greater than specified in section A.6 of this document, except as noted below:

- A. Church steeples
- B. Municipal water towers, and
- C. Chimneys

The above specified height exceptions may exceed the permitted height regulations by twofold (x2) or sixty (60) feet, whichever is less.

Additional exceptions to height standards include:

- A. Necessary mechanical appurtenances, and
- B. Elevator bulkheads

The above specified height exceptions may exceed the permitted height regulations by up to fifteen (15) feet but must be shielded from view by design features or the building.

2. Accessory Structures

No structure may be erected or changed so as to make its height greater than specified in section A.6 of this document, except as noted below:

- A. Accessory structures shall comply with all development standards set forth in the Jeffersonville Town Center Development Plan
- B. Accessory structures must relate to the primary structure and its uses.
- C. Accessory structures may not encroach on any platted easement unless the owner of the easement gives written consent.
- D. Dumpsters, compactors, and all other trash receptacles must be enclosed and screened.
- E. An accessory structure may only be located to the rear or side of the primary structure.
- F. Antennas or satellite dishes are only permitted on the rear of the structure unless entirely screened by architectural features.

3. Fences and Wall Standards

All fences and walls:

- A. Must present the non-structural face outward.
- B. Are permitted up to the property line.
- C. May not be greater than eight (8) feet in height in the side yard and rear yard or greater than five (5) feet in the front yard.
- D. May not be closer than two (2) feet to any public right-of-way.
- E. May not be placed within the vision clearance triangle and defined in vision clearance standards.
- F. Fence and wall materials may only consist of:
 - a. Masonry
 - b. Brick
 - c. Metal: shall consist of a vinyl covered chain link material, including all supporting frame posts and rails.
 - d. Wood: shall consist of a treated or decay resistant material

4. Temporary Use/Structure Standards

The following standards pertain to temporary uses of structures:

- A. Temporary uses of structures that are intended to transition into a permanent use or structure must meet all standards for a permanent use or structure. In the event that the intent is not noted upon application, the transition to a

permanent use or structure will not be permitted for one (1) year from application date.

- B. The planning director may extend the duration of the temporary use or structure one (1) time with findings of substantial need. The duration of the extension cannot exceed the lengths of the permitted time without the application for another temporary use or structure permit.
- C. All temporary uses or structures must be removed and the original site reverted to its original condition and be completed with the duration of the permit.

The following temporary uses are permitted as described below:

- A. Construction trailers are permitted for up to twelve (12) months. A temporary improvement location permit is required.
- B. Outdoor sales or events (i.e. tent sale, product specials, seasonal sales) are permitted for up to fourteen (14) days, up to two (2) times per calendar year. A temporary improvement location permit is required. Locations for any such sales shall be submitted as part of the development plan approval process.
- C. Roadside sale of fireworks are not permitted under any circumstances.

5. Landscaping Standards

(1) General Standards:

- A. Trees, vegetation, irrigation systems, fences, walls, and other landscape elements are considered elements of a project in the same manner as parking and other site details. The applicant and/or landowner and their successors in interest are responsible for the regular maintenance of all landscaping elements so that they are in good condition. All landscaping shall be repaired and replaced periodically to maintain a structurally and aesthetically sound condition.
- B. Nothing in these standards shall precede the use and enjoyment of a wildlife area that is certified by a state or nationally recognized organization.
- C. Any landscape element required by these standards, the Plan Commission or the Board of Zoning Appeals that dies, or is otherwise removed, must be replaced within sixty (60) day of death or removal or be subject to fines and penalties as a civil violation. The Planning Director may grant an extension due to weather to comply, but no more than thirty (30) days in total.
- D. Under no circumstances may the species identified and listed in Schedule 1- Pest Plants or any artificial plant be installed and/or counted as part of the minimum plantings required by use or parking lot plantings.

Schedule 1 Pest Plants

Scientific Name

Common Name

Acer ginnala	Amur Maple
Acer plantonoides	Norway Maple
Ailanthus altissima	Tree-of-Heaven

Albizza julibrissin	Mimosa
Euonymus alata	Winged Wahoo-burning Bush
Euonymus fortunei	Winter Creeper
Ligustrum spp.	Privets
Ligustrum vulgare	Privet
Lonicera japonica	Japanese Honeysuckle
Lythrum salicaria	Purple Loosetrife
Pinus nigra	Austrian Pine
Polygonum cuspidatum	Japanese Knotweed
Pueraria lobata	Kudzu Vine
Rhamnus davurica	Common and Dahurian Buckthorn
Rhamus frangula	Alder Buckthorn

- E. All site plans must contain the species and caliper size at DBH (diameter at breast height) of all existing trees, bushes, and significant plants.
- F. Care should be taken to attempt to preserve all trees with a caliper size of twenty-four (24) inches or greater.
- G. The use of species native to the region is encouraged. A reduction of up to twenty percent (20%) of the total number of trees or shrubs required may be granted by the Planning Director if eighty percent (80%) or more of the trees and/or shrubs to be planted are native species as identified and listed in Schedule 2.

(2) Developer Parking lot and Perimeter Planting

- A. Public Right-of-way: trees shall be provided at the current City development standards. Trees may be spaced irregularly in informal groupings or be uniformly spaced, as consistent with large overall planting patterns and organization. Perimeter planting along a street may be located in, and should be integrated with, the streetscape in the right-of-way. Plantings within the right-of-way require permission from the Jeffersonville Board of Public Works.
- B. Non-Public Right-of-way: trees shall be provided at a ratio of one (1) tree per thirty-five (35) feet along all side and rear lot lines of the development. The tree varieties shall be from group "A". Tree Canopies shall be six (6) feet high at installation and two (2) inch caliper.
- C. Creek Easement: In areas along the west property line marked "Creek Easement" on the Planned Development Exhibit, it is the intent of this planned development to meet the above tree requirements. If for any reason the existing "Creek Easement" plantings fail to meet the one (1) tree per thirty-five (35) linear foot ratio, it shall be the developer's responsibility to meet this requirement. The trees planted in the "Creek Easement" may

not necessarily meet the caliper requirements above and tree species listed in group "A".

- D. Parking lots with six (6) or more spaces must be screened from adjacent uses and street. Screening must consist of an earthen berm, plant material or a combination of such elements which must have a minimum height of thirty-six (36) inches. The screening must extend a minimum of seventy percent (70%) along the street frontage and rear and side lot lines.
- E. Landscape islands will be provided at ends of parking rows, except where parking aisles terminate with accessible parking spaces. A landscape island will also be provided when a row of parking exceeds 25 contiguous spaces on a single side of the parking row. (see Figure 1). Landscape islands shall be at least three hundred (300) square feet in size for double row parking, one hundred-fifty (150) square feet for single row parking and include at least one tree and be designed so that any root ball of a tree, when planted, is not within three (3) feet of any edge of the island. The tree varieties shall be from group "B". Tree canopies shall be six (6) feet high at installation and two (2) inch caliper ABH.

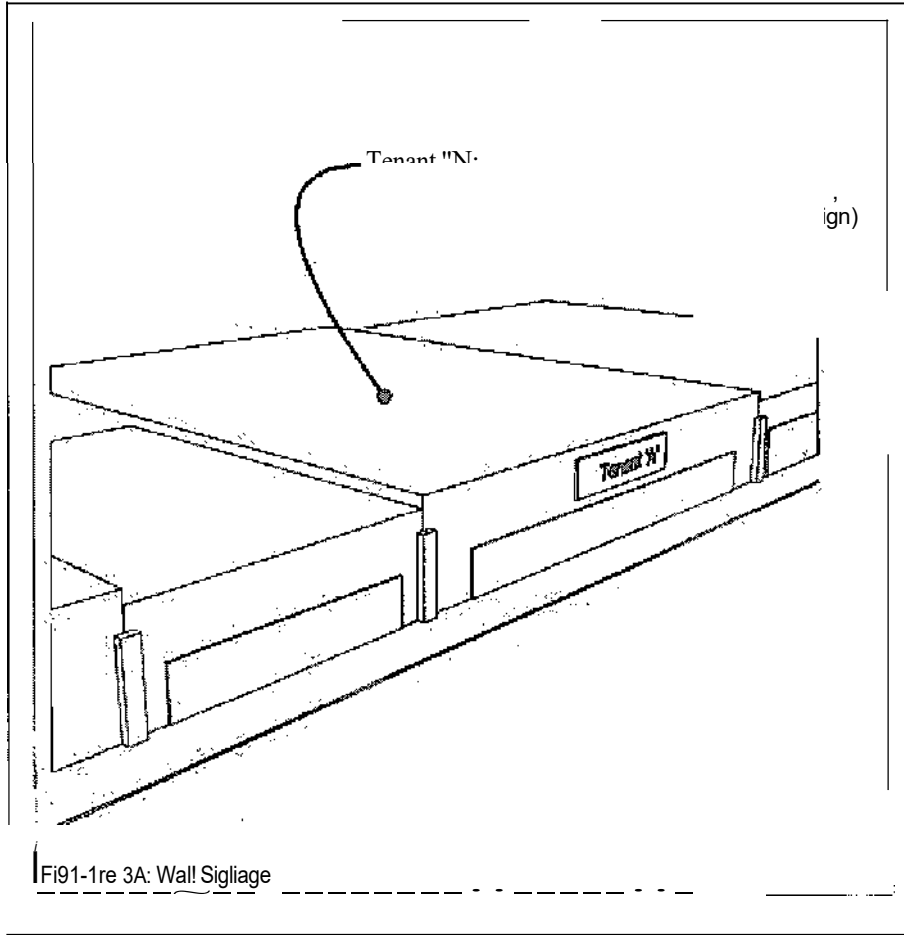
(3) Non-Outparcel Landscaping

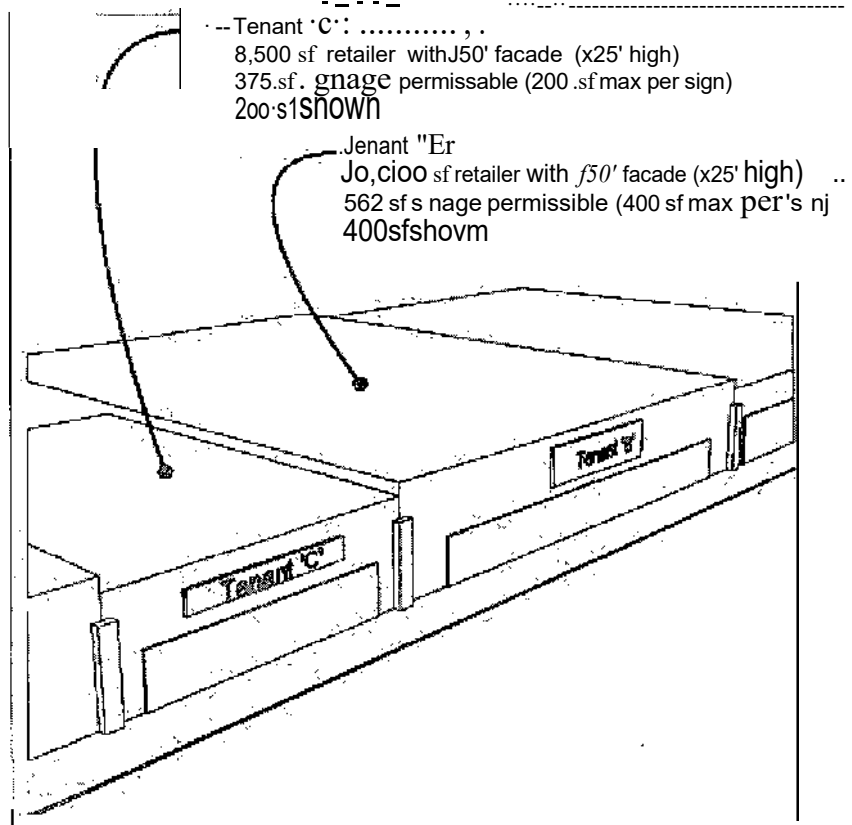
Intermittently spaced landscape beds shall be provided along the front sidewalk of any large, continuous store fronts to delineate between the pedestrian and vehicular zones. Landscape plants shall also be installed along large retail walls to promote a "human scale" and reduce the visual height of said walls. These details shall be delineated on detailed development plans for approval by the Jeffersonville Plan Commission.

(4) Outparcel Landscaping

Foundation plantings shall conform to current City development standards.

Approved Trees, Group A	Approved Trees, Group B
Common Name	Common Name
White Oak	White Oak
Red Oak	Red Oak
Black Oak	Black Oak
White Ash	White Ash
Scarlet Oak	Scarlet Oak
Southern Red Oak	Southern Red Oak
Blackjack Oak	Blackjack Oak
Chinkapin Oak	Chinkapin Oak
Shumard's Oak	Shumard's Oak
Post Oak	Post Oak
Tulip Tree	Tulip Tree
Green Ash	Green Ash





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(7) Environmental Standards

No land shall be used or structure erected where the land is unsuitable for such use or structure due to pre-development slopes greater than twenty-five percent (25%), adverse soil or rock formation, erosion susceptibility, low percolation rate or bearing strength, or any other feature likely to be harmful to the health, safety, prosperity, aesthetics, and general welfare of the community. In addition, the following standards must be met:

- A. Drainage and Surface Water: All development which requires official review and approval of the Plan Commission or its Plat Review Committee, Board of Zoning Appeals, Board of Public Works and Safety, City Engineer or Building Commissioner is also subject to drainage review by the Jeffersonville Drainage Board as described in the *Storm, Drainage, Erosion and Sediment Control Ordinance (Ord #98-OR-36)*. Single family dwellings and two family dwellings are exempt from the review. For those structures the following regulations apply:
 - 1. It is the responsibility of the owner of any lot or parcel of land developed by any use to provide adequate surface water drainage. Existing natural surface drainage must be maintained. Whenever the natural surface drainage is inadequate the owner must provide

the parcel with an adequate surface water drainage system that is integrated into the drainage patterns of surrounding properties. Swales must be placed in an easement to prohibit future filling or constructing.

2. Drainage: Drainage swales (ditches) along dedicated roadways and within the right-of-way or on dedicated drainage easements may not be altered, except for maintenance as originally constructed and as approved by the Planning Director, City of Jeffersonville, the Jeffersonville Drainage Board, or Indiana Department of Transportation. Driveways must be constructed over these or other approved structures, only as permitted by the appropriate agency.
- B. Preservation of Natural/Historic Features: Existing natural and historic features which would add value to the development of natural or man-made assets of the city such as trees, streams, vistas, lakes, historical landmarks, and similar irreplaceable assets must be preserved, when possible, through harmonious and careful design. Land to be developed must be designed and improved as far as practical in conformity to existing topography in order to minimize storm water runoff and conserve the natural cover and soil.
- C. Landscaping: Any part or portion of a non-farm parcel which is not used for structures, loading or parking spaces, sidewalks, accessory uses must be landscaped or left in a natural state. If landscaped, the parcel must be planted with an all-season ground cover, must be landscaped with trees and shrubs in accordance with the site plan, and shall be in keeping with natural surroundings.
- D. Cut/Fill Grade: No cut or fill grade may exceed a slope of 3:1 or 33 1/3 percent. This provision applies to all cuts and fills exceeding 100 square feet in exposed surface area, including cuts or fills on land naturally exceeding 3:1 slope.
- E. Erosion Prevention: All land, regardless of slope, from which structures or natural cover has been removed or otherwise destroyed, must appropriately be graded and seeded within thirty (30) days after the removal or destruction of said natural cover to prevent erosion.
- F. Alterations to Shoreline: No alteration of the shoreline or bed of a river or public lake shall be made until written approval is obtained from the Indiana Department of Natural Resources and Army Corps of Engineers, and the provisions of this ordinance are complied with. Alterations include, among other things, filling of a river or wetlands, dredging of a riverbed, and ditch excavation within one half mile of a water body.

- G. Retention, Detention and Pond Edges: all retention, detention and pond edges must be maintained with a buffer of natural plantings within twenty (20) feet of the peak elevation. The use of engineered hard edges is not permitted except around inlets and outlets. The use of engineered hard edges may not exceed five percent (5%) of lineal feet of the total edge of any retention facility, detention facility, or pond. Under no circumstances is "rip-rap" permitted.
- H. Code Compliance/Hazardous Waste: All development must be in compliance with Title 7 of the Indiana Code, as amended, as it relates to hazardous waste, low level nuclear waste, underground storage tanks, waste tires, and other applicable chapters of said title.
- I. Waste Disposal: No waste materials such as garbage, rubbish, trash, construction materials, gasoline, oil, flammables, soils, tars, chemicals, greases, industrial or agricultural waste, or any other material of such nature, quantity, obnoxiousness, toxicity, or temperature that may contaminate, pollute, or harm the waters must be deposited, located, stored, or discharged on any lot in a way that would be likely to runoff, seep, or wash into surface or ground water.
- J. Fuel Storage: No Flammable or explosive liquids, solids, or gasses as specified by the State Fire Marshal may be stored in bulk above ground, except tanks or drums of fuel connected with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel.
- K. Debris/Refuse: Debris, refuse, trash, construction material, garbage, litter, unfinished buildings, or rotting wood may not accumulate on any property.
- L. Sedimentation/Public Health: No debris, weeds, trash or construction material may accumulate along the curb, gutter, or ditches in front of any property.
- M. Treatment of Fill: Material used for fill where permitted by this ordinance and/or by the IDEM, IDNR, or other governmental agency, must be promptly covered or seeded.
- N. View Requirements: Where a proposed structure will eliminate more than fifty percent (50%) of an adjacent structure's view or exposure to the sun, an additional yard setback may be required by the Planning Director so that at least a fifty percent (50%) view or exposure may be maintained.

0. Improvement Location Permit/Building Permit Requirements: The following activities are permitted with no Improvement Location Permit/Building Permit required, provided all other applicable standards are met.
 1. Normal Plowing and preparing the land for farming, gardens, and yards.
 2. Normal trimming and/or removal of trees and shrubs for maintenance and/or site preparation.
 3. Earth movements related to farming and other agricultural activity.
 4. Drain tile laying and ditch cleaning.

- P. Projects Affecting Regulated Drains: Regulated drains are under jurisdiction of the Jeffersonville Drainage Board. The Jeffersonville Drainage Board or Jeffersonville City Engineer shall review and approve all development or projects directly affecting a regulated open ditch or tile per I.C. 36-9-27-13 of the Indiana Drainage Code.

8. Lighting Standards

The intent of the lighting standards is to provide a level of illumination necessary for adequate, safe and efficient movement of vehicles and persons without affecting neighboring properties. Further, the level of illumination may vary according to the type of use on a lot. The intensity of light created on any site may not significantly go beyond the property line of the subject property.

The following lighting standards apply.

- A. All lighting must be shielded with opaque material to prevent direct lighting on streets, alleys and adjacent properties.
- B. All lighting elements use to cast light on building facades, features of buildings or signs must have cutoff luminaries with less than a ninety-degree (90°) angle ("downlighting").
- C. Lighting for parking lots must all be consistent in color, size, height, and design. Further, all parking lot lights must have cutoff luminaries with less than a ninety-degree (90°) angle ("downlighting") and may be no more than forty (40) feet in height in non-outparcels and twenty (20) feet in height in outparcels.
- D. All freestanding lights and lights mounted on walls or facades must have cutoff luminaries with less than a ninety-degree (90°) angle.
- E. All lights within the development must be consistent in style, design, height, size and color throughout the development.
- F. Lighting from the development may not cause more than one-half (1/2) foot candle of illumination beyond the property line of the development. The only exception to this standard is as follows: When the subject property is zoned for business and the adjacent property is also zoned for business or industrial use, then the allowable light at the property line is one (1) foot candle (only on sides of the property that are adjacent to the similar zoning district)

- G. Measurements of light readings shall be taken along each property line of the subject property with a light meter facing the center of the property at a height of six (6) feet.

9. General Sign Standards

- A. Except as otherwise provided herein, it shall be unlawful for any person to erect, construct, enlarge, move, or convert any sign, or change the permanent copy of an existing sign structure with the jurisdiction of the Jeffersonville Plan Commission, or cause the same to be done, without first obtaining a sign permit for the Planning Director or its designee.
- B. Inspection: Signs for which a permit is required may be inspected periodically by the Plan Commission or Planning Director for compliance with the standards provided herein.
- C. Removal of Signs: The Plan Commission or Planning Director may order the removal of any sign erected or maintained in violation of this Article. A thirty (30) day written notice describing the violation and ordering either the removal of the sign or requiring the sign to be brought into compliance shall be given to the owner and/or business operator. No notice shall be given for temporary or portable signs. The Plan Commission or Planning Director may remove a sign immediately and without notice if the condition of the sign presents an immediate threat to the safety of the public. Any cost associated with signs removed by the Plan Commission and/or his agent, pursuant to the provisions of this article, shall be reimbursed by the owner of said sign. Should sign not be redeemed within forty-five (45) days of its removal, it may be disposed of in any manner deemed appropriate by the City.
- D. Maintenance: all signs and components thereof shall be kept in good repair and in safe, neat, clean, and attractive condition. If failure to maintain a sign is determined by the Plan Commission or Planning Director, a written notice will be giving to the owner, business operator or lessee of the property. Thirty (30) days notice shall be given to the owner, business operator or lessee of the property to comply with the regulations. After thirty (30) days if the owner, business operator or lessee fails to comply, penalties shall be imposed per the city of Jeffersonville Enforcement and Penalties Article.
- E. Abandoned Signs: A sign, all mountings, and related components shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no long conducted on the premises. If the owner or lessee fails to remove the sign, the Plan Commission or Planning Director shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the Plan Commission or Planning Director may remove the sign. Any cost associated with the signs removed by the Plan Commission and/or its designee, pursuant to the provisions of this Article shall be reimbursed by the owner of said

sign. Should the sign not be redeemed within forty-five (45) days of its removal, it may be disposed of in any manner deemed appropriate by the City.

- F. Electronic Variable Message Signs: All signs must meet the standards as specified in the State Electrical Code, as adopted and amended by the State of Indiana. IN addition all signs containing an EVMS as a component in part or in whole shall comply with the following standards:
- a. EVMS signs are only permitted on ground signs.
 - b. The message on the sign cannot move, appear to move, flash, scroll, or fade.
 - c. The message on the sign must **o l d** for a minimum of one (1) hour.
 - d. The sign must have equipped an automatic dimmer control/photocell sensor, to produce a distinct, stepped luminance change from a higher luminance level to a lower luminance level in order to comply with the luminance levels in subsection (e.), and to adjust sign brightness based on ambient lighting levels (i.e. cloudy days). The automatic dimmer control/photocell sensor must be activated at all times that the sign is in operation.
 - e. The sign shall operate at a luminance level not to exceed 700 nits thirty minutes before sunset to thirty minutes after sunrise and not to exceed 10,000 nits at all other times.
 - f. EVMS signs are not permitted in any residential zoning, Downtown Commercial, Neighborhood Commercial, or Neighborhood Industrial zoning districts.
 - g. No EVMS shall be located within 600 feet of a residential zoning district or the downtown commercial zoning district unless the sign is visible obstructed.
 - h. No sign containing an EVMS as a component shall be located within one hundred fifty (150) feet of any signalized intersection of two (2) or more streets if any of these streets is designated as a Collector, Arterial, Freeway/Expressway or Interstate Ramp by INDOT.
 - i. All laminated elements shall be kept in satisfactory working condition and immediately repaired or replaced if damaged or burned out.
 - j. All electrical wiring for permanent signs shall be in conduit. All electricity for signs shall have a disconnecting switch located in a readily accessible place to the Planning Director or its designee in the event the sign must be shut off because the sign presents an immediate threat to the safety of the public or is in violation of City ordinances.
 - k. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roadways.
 - l. The light from any sign shall be so directed such that the light intensity or brightness will not be objectionable to the surrounding properties. No light shall shine directly onto adjacent property.
- G. Illuminated Signs: All illuminated signs must meet the standards as specified in the State Electrical Code, as adopted and amended by the State of Indiana. In addition, all illuminated signs shall comply with the following standards:

- a. No Sign shall have blinking, flashing, or fluttering lights, nor shall any device be utilized which has a changing light intensity, brightness of color, or give such illusion except the portion of the sign reserved for time and temperature.
- b. All illuminating elements shall be kept in satisfactory working condition and immediately repaired or replaced if damaged or burned out.
- c. All electrical wiring for permanent signs shall be in conduit. All electricity for signs shall have a disconnecting switch located in a readily available place.
- d. The direct or reflected light from a primary light source shall not create a traffic hazard to operators of motor vehicles on public and/or private roads.
- e. The light from any illuminated sign shall be shaded, shielded, or directed such that the light intensity or brightness will not be objectionable to the surrounding properties. No light shall shine directly onto adjacent property.

H. Exempt Signs: The following signs are exempt from all provisions herein:

- a. Flags of any country, state, unit of local government, institution of higher learning, or similar institutional flags.
- b. Names of buildings, date of erection, monumental citations, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the structure. No commercial messages or logos are permitted on such integral signs.
- c. Public signs of a non-commercial nature and in the public interest erected by or on the order of public officer(s) in the performance of public duty, such as signs to promote safety, no trespassing or traffic signs, memorial plaques, signs of historical interest, and signs directing people to public and quasi-public facilities.
- d. Utility signs used to mark cable and lines for public and private utilities except if determined to be a hazard by the Plan Commission.
- e. Political signs.

I. Prohibited Signs: The Following signs are expressly prohibited in all Zoning Districts:

- a. Signs that utilize any motion picture, laser, or visual projection of images or copy in conjunction with any business or advertisement.
- b. Signs that emit audible sound, odor or visible matter.
- c. Signs that purport to be or are an imitation of, or resemble an official traffic sign or signal or which bear the words "stop", "slow", "caution", "danger", "warning", or other similar words.
- d. Signs that may be construed as a light of an emergency or road equipment vehicle.
- e. Signs in the right-of-way or that hide from view any traffic or roadway sign, signal or device.
- f. Signs that interfere with the vision clearance triangle as defined in the Vision Clearance Standards.
- g. Signs that extend above the roof line or parapet of a building.
- h. Roof signs.

- i. Signs that have blinking, flashing, or fluttering lights or which has a changing light intensity, brightness, or color, or give such illusion, except that portion of a sign reserved for time and temperature.
- j. Signs that obstruct any door, fire escape, stairway or any opening intended to provide entrance or exit for any building or structure.
- k. Signs places on vehicles parked on public or private property primarily for the purposes of displaying the sign. Prohibited signs do not include those displayed on vehicles parked on public or private property primarily for the purposed of lawfully making deliveries or random sales or service. Prohibited signs do not include vehicles which are customarily used for transporting persons or properties, and vehicles parked at a driver's place of residence during non-business hours or for incidental purposes.
- l. Any sign that is not expressly permitted herein.

J. Noncommercial Message: Noncommercial messages are permitted on all signs permitted by this article.

10. Temporary Sign Standards

The following temporary signs shall be permitted. A temporary sign permit is required unless otherwise specified.

- A. Temporary ground signs are permitted thirty (30) days per year
- B. Ground signs may be not larger than (32) square feet.
- C. A sign advertising a legally permitted event which shall be removed ten (10) days after the event has transpired.
- D. No temporary sign shall be located within the vision clearance triangle area as described in the vision clearance standards.
- E. Temporary signs shall be a minimum of ten (10) feet from the property line.
- F. Attention seeking signs are permitted for grand openings or special promotions. Such signs shall only be permitted under the following conditions:
 - a. Such signs shall not be used for a time to exceed thirty (30) days in a six (6) month period.
 - b. Such devices shall not contain flashing lights at any time.
- G. Portable signs and banners are permitted for grand opening or special promotions under the following conditions:
 - a. Such signs shall not be used for a time to exceed thirty (30) days in a six (6) month period.
 - b. Such signs shall not exceed thirty-two (32) square feet.
 - c. One (1) portable sign is permitted per street frontage.
 - d. Such signs shall not contain any flashing lights at any time.
 - e. Such signs shall not exceed six (6) feet in height.
- H. Off-site directional signs associated with a grand opening or special promotion are not to exceed six (6) square feet or three (3) feet in height. Such signs are only permitted for the duration of the grand opening or special promotion.

- I. One (1) construction sign up to thirty-two (32) square feet in size for one (1) year and renewable in (1) year increments in conjunction with a new sign permit being issued. Upon 90% build out of the development, a construction sign is no long permitted as a temporary sign.
- J. Portable Electronic Variable Message signs (EVMS) are permitted under the following conditions:
 - a. The sign area shall not exceed thirty-two (32) square feet of commercial message.
 - b. Such signs shall not be used for a time to exceed two (2) days in a six (6) month period
 - c. Such signs shall not exceed six (6) feet in height.
 - d. All temporary EVMS signs shall be subject to the standards of Section 7.17 General Sign Standards: Subsection (F) Electronic Variable Message Signs.
- K. Political signs not exceeding eight (8) feet in height and thirty-two (32) square feet in message area.
 - a. Political signs shall not be displayed greater than sixty (60) days before the election will transpire.
 - b. Political signs shall be removed ten (10) days after the election has transpired.

11. Permanent Sign Standards

The Jeffersonville Town Center Development Plan seeks to create an appropriate signage system to efficiently communicate and direct visitors to their prospective, destinations. To accomplish this task, the Permanent Sign Standards as defined by PS-OS in the Jeffersonville Zoning Ordinance shall be substituted with the standards provided in this document.

A. Comprehensive Development Signage Plan

The purpose of the comprehensive development signage plan is to provide guidelines for the size, location and installation of graphics throughout the development. This plan establishes regulations to accommodate each entity that will occupy the development in a manner to provide a neat and orderly appearance. The plan states the minimum standard signage must meet in order to obtain the Landlord's approval thereof. The following standards shall not negate each Tenant from the responsibility of obtaining all governmental review and permits for their respective graphics.

B. Permitted Signs

- o Wall Sign
- o Awning Sign
- o Ground/Monument Sign
- o Window Sign
- o Directional Sign

(1) Primary Project Identification Sign (Type "A") (Veterans and Town Center Blvd.)

Project identification sign shall be permitted per approximated location illustrated on the Project Identification Sign exhibit.

- a. The sign shall have a total permitted sign panel area of up to three-hundred (300) sq. ft. per side.
- b. The sign shall be limited to a maximum thirty (30) feet in height.
- c. Sign panels shall be internally illuminated with plexiglass panels.

(2) Secondary Project Identification Sign (Type "B") {Charlestown-New Albany Pike and Town Center Blvd.}

Secondary project sign shall be permitted per approximate location illustrated on the Project Identification Sign Exhibit.

- a. The Sign shall have a total permitted sign panel area of up to two-hundred fifty (250) sq. ft. per side.
- b. The sign shall be limited to twenty (25) feet in height.
- c. Sign Panels shall be internally illuminated with plexiglass faces.

(3) Project Identification Monument Sign (Type "C")

One multi-tenant or single-tenant ground sign shall be permitted in each lot. In the case of a corner lot, one multi-tenant or single-tenant ground sign shall be permitted to face each public roadway on which the lot has frontage.

- d. Each Sign shall have a total permitted sign panel area of eighty (80) sq. ft. per side.
- e. Each sign shall be limited to eight (8) feet in height.
- f. Signs may be either internally or externally illuminated.

(4) Wall signs

a. Non-Outparcel, space greater than or equal to 50,000 sq. ft. (See Figure 4)

Each tenant with space greater or equal to 50,000 sq. ft. shall be permitted a maximum wall area sign in its front facade as determined by the following formula:

- A. Length x Height of Wall= Wall Area
- B. Wall Area x Ten Percent (10%) = Allowable Sign Area
- C. Maximum Allowable Sign Area is 600 sq. ft. for any individual sign
- D. In the case of a non-outparcel use with a side or rear building wall or walls facing an adjacent public right-of-way, the allowable and maximum sign areas shall be exactly fifty percent (50%) of the allowable and maximum sign area of the front facade.

b. Non-Outparcel, space greater than or equal to 10,000 sq. ft. (See Figure 4)

Each tenant with space greater or equal to 10,000 sq. ft. shall be permitted a maximum wall area sign in its front facade as determined by the following formula:

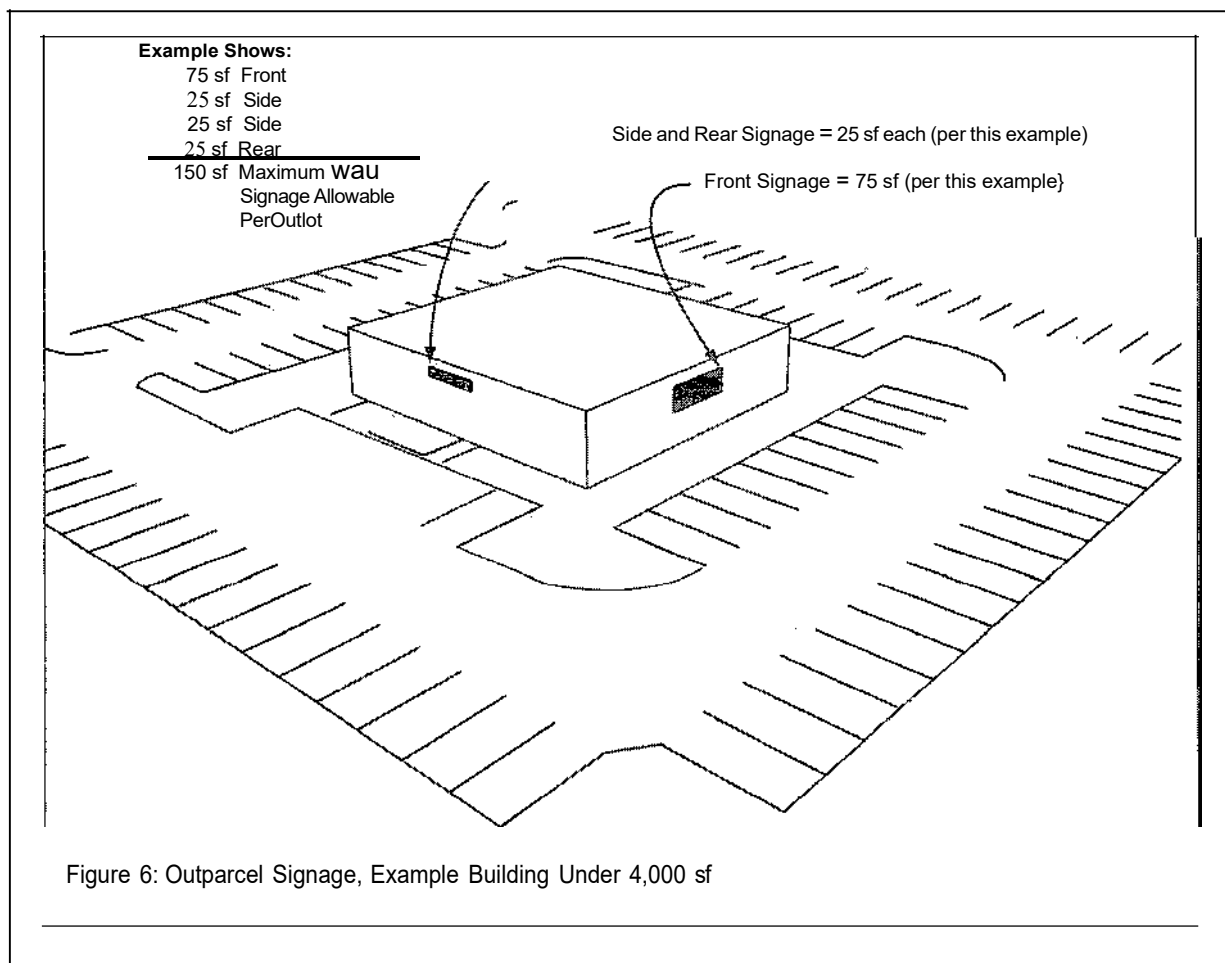
- A. Length x Height of Wall= Wall Area
- B. Wall Area x Ten Percent (10%) = Allowable Sign Area

- C. Maximum Allowable Sign Area is 400 sq. ft. for any individual sign
- D. In the case of a non-outparcel use with a side or rear building wall or walls facing an adjacent public right-of-way, the allowable and maximum sign areas shall be exactly fifty percent (50%) of the allowable and maximum sign area of the front facade.

c. **Non-Outparcel, space greater less or equal to 10,000 sq. ft. (See Figure 4)**

Each tenant with space less than 10,000 sq. ft. shall be permitted a maximum wall area sign in its front facade as determined by the following formula:

- A. Length x Height of Wall= Wall Area
- B. Wall Area x 15 Percent (15%) = Allowable Sign Area
- C. Maximum Allowable Sign Area is 150 sq. ft. for any individual sign
- D. In the case of a non-outparcel use with a side or rear building wall or walls facing an adjacent public right-of-way, the allowable and maximum sign areas shall be exactly fifty percent (50%) of the allowable and maximum sign area of the front facade.

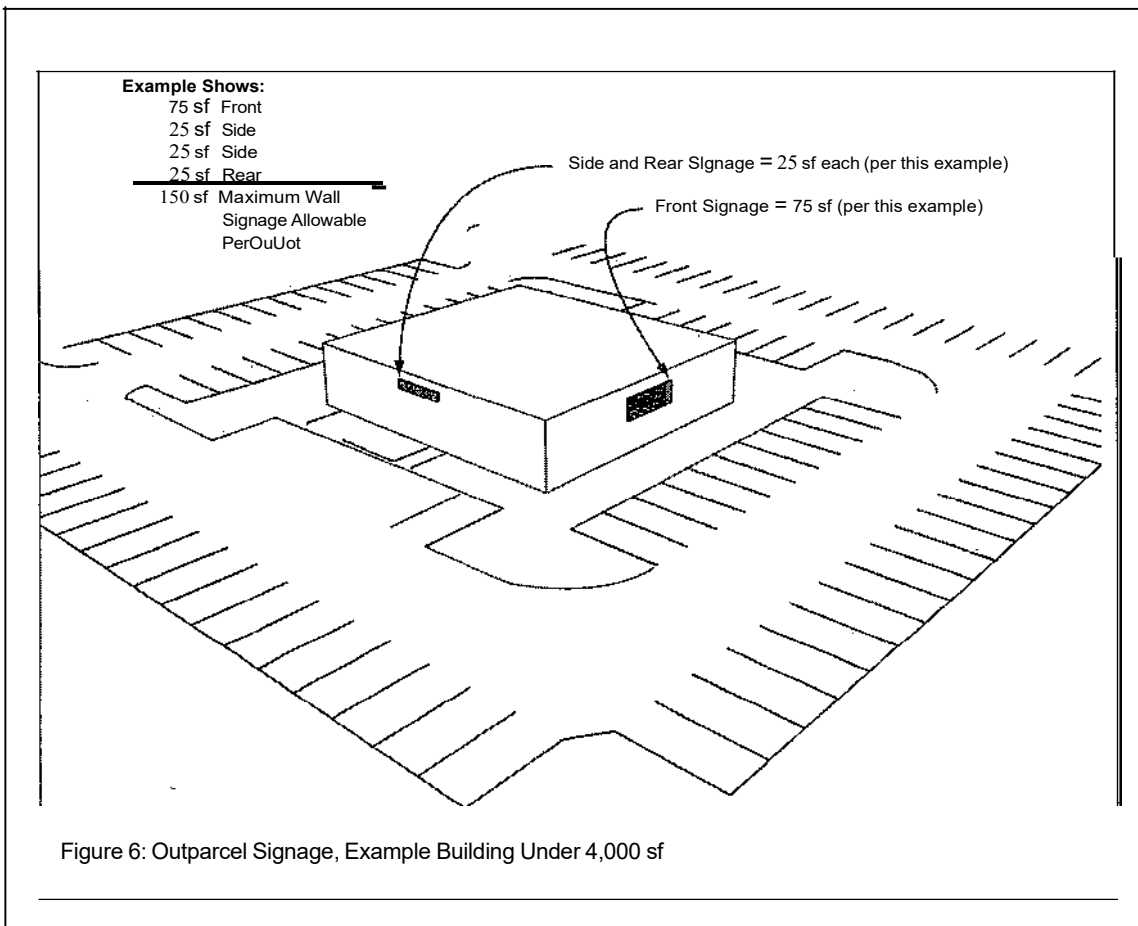


d. **Outparcel Buildings, space greater than 4,000 sq. ft. (See Figure 5)**

Any outparcel building with space greater than 4,000 sq. ft. (see figure 6) shall be permitted two signs per tenant as long as only one sign faces the public right-of-way. The maximum area of any one wall sign shall not exceed two hundred (200) square feet. The maximum length of any wall sign shall not exceed eighty percent (80%) of the demised tenant space on which it is located.

e. **Outparcel Buildings, space less than 4,000 sq. ft. (See Figure 6)**

Any outparcel building with space 4,000 sq. ft. or less (see figure 7) shall be permitted up to four on-premises wall signs. The total aggregate area of all signs, including ground signs, shall not exceed two hundred (200) square feet. The maximum area of any one wall sign shall not exceed one hundred (100) square feet. The maximum length of any wall sign shall not exceed eighty percent (80%) of the building facade on which it is located.



(S) **Window Sign**

Non-illuminated window signs not exceeding fifty percent (50%) of the window area are permitted. No permit is required. Illuminated window signs containing a commercial message

that can be seen from the road shall be counted toward the total sign area. A sign permit is required.

(6) Directional Sign

Directional signs must be no more than five (5) feet in height and no more than six (6) square feet in area. No permit is required and they shall not be counted toward the total sign area allowed per lot.

On lots Without a Structure:

On lots without a structure or building, a noncommercial ground sign not to exceed thirty-six (36) square feet is permitted.

12. Parking Standards

The Jeffersonville Town Center Development Plan is comprised of several different retail districts with similar parking requirements. To adequately serve parking needs, the Parking Standards as defined by sections PK-06, PK-06, PK-07 in the Jeffersonville Zoning Ordinance shall be amended with the following standards:

A. Basic Parking Lot Standards

- All ingress/egress into parking areas must be paved.
- Parking lots may project into the front, side, and rear yard setbacks according to the current City development standards.
- Parking spaces shall be a minimum of nine (9) feet x eighteen (18) feet and be striped so as to show each parking space.
- Parking aisle widths shall be as follows:
 - a. 90-degree angle spaces - twenty-four (24) feet wide parking aisle.
 - b. 60-degree angle spaces - eighteen (18) feet wide parking aisle.
 - c. 45-degree angle spaces - fourteen (14) feet wide parking aisle.
- Parking areas shall be designed to prevent vehicles from maneuvering in the public right-of-way.
- Parking areas must be designed to allow for proper drainage.
- Parking spaces prescribed in this section must be located either on the premise or on a lot approved by the Plan Commission. All required off-street parking spaces, however, must be located within six hundred (600) feet of subject lot.
- A group of adjacent properties may provide a joint parking area if the number of spaces required for all properties is adequate, and the joint lot provides at least seventy percent (70%) of the total spaces required for each use and if the planning director approves the joint parking area. A written reciprocal parking agreement signed by all property owners involved is required and must include provisions concerning at least the following items: maintenance, snow removal, ownership,

and liability and must be recorded in the office of the Clark County Recorder. The agreement must be reviewed/approved by the Planning Director and/or City Attorney. A copy of the recorded agreement must also be kept in the office of the Plan Commission.

B. Required Parking

To reduce traffic congestion and hazards along roadways, off-street parking shall be required for businesses and industrial uses. The minimum number of off-street parking spaces shall be:

- a. Employee parking for office, commercial, institutional, communication/utilities, and industrial uses: One (1) parking space per employee that potentially can be working at any given time. Businesses with multiple shifts must also provide one (1) additional parking space per two (2) employees on the largest abutting shift. Subtract one (1) parking space per sixty (60) employees and subtract one thirtieth ($1/30^{\text{th}}$) of the total employee spaces if the property is within five hundred (500) feet of a bus or mass transit stop.
- b. Visitor parking for office, institutional and industrial uses: One (1) visitor parking space per twenty (20) employees working at any given time up to three hundred (300) total employees, plus one (1) visitor space per fifty (50) employees for the amount over three hundred (300) employees.
- c. Visitor parking for a nursing home, hospital or similar facilities: One (1) visitor parking space per three (3) beds in a hospital or nursing home facility.
- d. Visitor parking for hotel, motel and other overnight stay facilities: One (1) visitor parking space per rental unit.
- e. Automobile, tractor, boat, bus or similar sales facility: Two (2) parking spaces plus one (1) per salesperson working on any given shift.
- f. Restaurants, food services, theater, community center, auditorium, conference center, church, racetrack or similar facility that seats people: Parking spaces must equal one-third ($1/3^{\text{rd}}$) of the allowable seating capacity.
- g. Furniture, appliance, or similar large item sales facility: One (1) parking space per four hundred (400) sq. ft. of GFA up to thirty thousand (30,000) sq. ft. and one (1) parking space per six hundred (600) sq. ft. above thirty thousand (30,000) sq. ft.
- h. Hardware, home improvement, lumberyard, auto parts stores or similar moderate size item sales facility: One (1) parking space per three hundred

(300) sq. ft. of GFA up to thirty thousand (30,000) sq. ft. and one (1) parking space per four hundred (400) sq. ft. above thirty thousand (30,000) sq. ft.

- i. Fitness center, health spa, skating rink or similar facilities: One (1) parking space per three hundred (300) sq. ft. of GFA.
- j. Retail stores, grocery stores, gasoline stations, banks, liquor stores, and similar high volume and/or small item facilities: One (1) parking space per two hundred fifty (250) sq. ft. of GFA and up to forty thousand (40,000) sq. ft. and one (1) space per four hundred (400) sq. ft. up to eighty thousand (80,000) sq. ft. and one (1) per six hundred (600) sq. ft. above eighty thousand (80,000) sq. ft.
- k. Day-car or similar facility: One (1) parking space per every ten (10) children enrolled. This number of spaces may be reduced by (1/4th) in trade for passenger loading spaces.
- l. Airport, heliport or similar facility: One (1) parking space per five (5) aircraft tie-downs and hanger spaces, plus one (1) per every three (3) waiting room and classroom seats.
- m. Self-storage, warehouse or similar facility: One (1) parking space per five thousand (5,000) sq. ft. for single tenant facility or one (1) space per six (6) leasable storage units. Loading areas may account for up to one-fourth (1/4th) of this requirement.
- n. Body shop, vehicle repair, car wash or similar facility: One (1) parking space per interior service bay and per car wash stall.
- o. Medical facility, clinic, doctor's office or similar facility: One (1) parking space per treatment or examination room/space.
- p. Barber/beauty shop, fingernail salon, tanning salon or similar facility: One and one-half (1 1/2) parking spaces per operator station and tanning booth.
- q. Governmental offices, service commercial, libraries, organizational office, repair shop, or similar facility: One (1) parking space per eight hundred (800) sq. ft. of GFA.
- r. Public or private school, trade or business school, Or similar functioning facility: One (1) parking space per two (2) elementary classrooms; and two (2) parking spaces per junior high classroom; and one (1) parking space per five (5) high school students; and one (1) space per two (2) students in a trade or business school.

- s. Swimming pool, sports fields, recreational fields or similar facility: Twenty (20) spaces per sport field; and one (1) space per 100 sq. ft. of water surface.
 - t. Golf course, driving range, batting cages, bowling alley or similar facility: Thirty (30) parking spaces per nine (9) holes; and one (1) space per driving range or batting cage lane; and two (2) spaces per alley.
- o If a use is not clearly noted, the Planning Director may determine into which category the uses best fit, therefore determining the parking requirements.
 - o No maximum number of spaces will be applied to any use within the Jeffersonville Town Center.

13. Loading Standards

There shall be provided off-street loading berths not less than the minimum requirements specified in this section in connection with any building or structure which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles.

A. Location

All required off-street loading berths shall be located on the same lot as the use to be served, and no portion of the vehicle shall project into a street right-of-way or alley easement. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets.

B. Size

Off-street parking loading berths for the over the road tractor-trailer shall be at least fourteen (14) feet in width by at least sixty (60) feet in length with a sixty (60) foot maneuvering apron and shall have a vertical clearance of at least fifteen (15) feet. For local pickup and delivery trucks, off-street loading berths shall be at least twelve (12) feet in width by at least thirty (30) feet in length with a thirty (30) foot maneuvering apron and shall have a vertical clearance of at least twelve (12) feet.

C. Access

Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alleys in a manner which will least interfere with traffic movements. There shall be no maneuvering in the right-of-way.

D. Surfacing

All open off-street loading berths shall be improved with a compact base of asphalt or concrete.

E. Spacing Allowed

Space allowed to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements of any off-street parking areas or portions thereof.

Off-Street Loading Berth Requirements

Min. Loading Berths Required	Gross Floor Area
1	up to 40,000 sq. ft.
2	40,000 to 80,000 sq. ft.
3	80,000 to 120,000 sq. ft.
4	120,000 to 160,000 sq. ft.

One (1) additional off-street loading space shall be required for each additional 80,000 sq. ft. after 160,000 sq. ft.

In situations where the structure clearly does not need and will not in the foreseeable future need loading docks, the Planning Director and/or Plan Commission may reduce the number required or eliminate the requirement altogether.

14. Entrance/drive Standards

The intent of the entrance and drive standards is to provide for a safe and efficient vehicular and pedestrian transportation system. The following standards apply to entrances and drives:

- A. All classification of roads shall be based on the Thoroughfare plan as found and maintained in the Jeffersonville Comprehensive Plan.
- B. No entrance or drive shall be permitted to begin within:
 - 1. Two hundred (200) feet of any intersecting road if along an arterial, such as Veterans Parkway.
 - 2. One-Hundred Fifty (150) feet of any intersecting road if along a local road, such as the Town Center Boulevard or Hamburg Pike.
- C. No two entrances or drives shall be permitted within:
 - 1. One hundred (100) feet of one another if along an arterial.
 - 2. Fifty (50) feet of one another if along a local street.
 - 3. Twenty-Five (25) of one another if along a private drive.

The distances for the above standards shall be determined by measuring from the curb or edge of pavement to the curb or edge of pavement (whichever is less) of each entrance, or drive.

- D. No entrance or drive shall be permitted within:
 - 1. One hundred forty (140) feet of the apex of a curve (30 degrees or greater) where the road is an arterial.
 - 2. Seventy (70) feet of the apex of a curve (30 degrees or greater) where the road is a local road.

The location of drive on or near curves may be investigated individually by the Planning Director or City Engineer and evaluated for their sight distance and the design speed of the roadway or posted speed limit, whichever is greater.

E. No entrance or drive shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be one-half (1/2) of the below measurements):

1. Thirty (30) feet from the development onto an arterial.
2. Twenty-six (26) feet from the development onto a local street.

The distances for the above standards shall be determined by measuring from the outside edges of the curb or pavement (whichever is more) of the entrance or drive.

F. The plan commission may determine if the following are necessary:

1. An acceleration or deceleration lane, or
2. A passing blister at a new entrance or drive.

G. All curb cuts require an Improvement Location Permit from the City of Jeffersonville.

15. Vision Clearance Standards

The intent of the vision clearance standards is to provide for a safe vehicular and pedestrian transportation system. The visibility at intersections, driveways, curb cuts and entrances are particularly important for the safe movements of vehicles and pedestrians.

The following vision clearance standards apply to all intersections, drives, curb cuts and intersections:

A. No entrance, curb cut or drive shall be permitted if within:

1. One hundred sixty (160) feet of the crest of a hill where the slope on either side of the crest is six percent (6%) or greater, or the visibility is determined to be impaired by the Planning Director or City Engineer, and the speed limit is forty-five (45) MPH or greater.
2. One-hundred (100) feet of the crest of a hill where the slope on either side of the crest is six (6%) or greater, or the visibility is determined to be impaired by the Planning Director or City Engineer, and the speed limit is thirty (30) MPH or greater.
3. Eighty (80) feet of the crest of a hill where the slope on either side of the crest is six percent (6%) or greater, or the visibility is determined to be impaired by the Planning Director or City Engineer, and the speed limit is under thirty (30) MPH.

B. All intersections must maintain a vision clearance triangle where no primary or accessory structures, or signs other than road signs and including landscape material are allowed to be placed or project into.

The following triangle leg lengths will apply to the determination of a clear vision triangle.

- a. Along arterials: Forty-five (45) feet
- b. Along local roads: Twenty (20) feet

16. Performance Standards

No use on a property shall exhibit obnoxious characteristics to the extent that it constitutes a public nuisance or interferes with reasonable enjoyment of neighboring properties.

A. Air Pollution: No use on a property shall release fly ash, dust, smoke, vapors, noxious, toxic or corrosive matter or other air pollutants in such concentration as to be detrimental to health, animals, vegetation or property, or to conflict with public air quality standards.

B. Electrical Disturbance: No use on a property shall cause electrical disturbance adversely affecting radio, television, or other equipment in the vicinity.

C. Fire Protection: Fire fighting equipment and prevention measures applicable to the local Fire Departments shall be readily available and apparent when any activity involving the handling and storage of flammable or explosive materials is conducted.

D. Noise: No use on a property shall produce noise in such a manner as to be objectionable because of volume, frequency, intermittence, beat, shrillness, or vibration. Such noise shall be muffled or otherwise controlled so as to not become detrimental. Public safety sirens and related apparatus used solely for public purposes shall be exempt from this standard.

E. Odor: No use on a property shall emit across lot lines any gas or matter with a bad odor in such quantity as to be readily detectable at any point across such lines.

F. Vibration: No use on a property shall cause vibrations detectable beyond lot lines without the aid of instruments.

G. Heat and Glare: No use on a property shall produce heat or glare in such a manner as to create a hazard to neighboring property. Nor shall any such heat or glare interfere with the reasonable enjoyment of neighboring property, or transportation function.

H. Waste Matter: No use on a property shall accumulate within the lot or discharge waste matter beyond the lot lines.

I. Water Pollution: No use on a property shall produce erosion or other pollutants in such a quantity as to be detrimental to adjacent properties or to conflict with public water quality standards.

17. Miscellaneous Standards

Dumpsters, compactors and similar containers must be screened on all sides by a fence or wall and must be constructed with the same exterior building materials as the primary structure. However, glass or similar translucent and breakable materials shall not be used. The height of the enclosure must be five (5) feet tall or higher if the height does not block the view of the dumpster, compactor or similar container.

VII. Commercial Corridor Overlay District

A. Approval Process

a. The following information is required at the time of filing for development plan approval in this district.

1. Site Plan
2. Building Elevations
3. Sign Plan
4. Lighting Plan
5. Landscape Plan
6. Tree Preservation Plan

b. Development Plans and Subdivisions for each individual lot shall be approved by the Plan Commission.

c. The creation of lots within this development shall be in accordance with the City Subdivision Ordinance.

d. The Development standards for the Commercial Overlay District that apply to this development are stated herein.

e. Any new development within this proposal shall require approval from the City Drainage Board.

B. Development Standards

1. Signage

All signage must be designed to create a uniform and consistent sign package throughout the development.

2. Outdoor Storage

No unscreened outdoor storage is permitted.

3. Outdoor Sales

Outdoor sales on approved development plans are permitted. Development plans shall located designated areas of proposed outdoor sales. Vinyl coated

chain link fencing around outdoor sales, such as a garden center attached to a retail anchor store, is permitted.

4. Mechanical Equipment

All mechanical equipment must be screened by vegetation, fencing or a building feature (i.e. parapet). Screening must eliminate or obscure the sight of mechanical equipment within four hundred (400) feet of the mechanical equipment. This requirement does not apply for views of the development from Veterans Parkway as you descend down from the overpass to the grade of the development.

5. Lighting

All parking lot lighting must be designed to create a unified and consistent lighting package for the development. Lighting standards in parking areas may not exceed forty (40) feet in height in not-outparcels and twenty (20) feet in outparcels. All lighting must be LED, have cutoff luminaries (shielded down lighting) and be consistent with the architectural style of the building.

6. Traffic Management

The design and location of proposed street access points must minimize congestion. The entrances, streets and internal traffic facilities must be comparable to the existing and planned streets in adjacent developments. Shared driveways and internal connections to adjacent sites, not including future new development adjacent to the subject property, are required whenever feasible.

Approximate access points to the development are located on the Planned Development Exhibit.

7. Pedestrian Access

The design of the proposed development will provide pedestrian connections, wherever feasible, within the development and safe street crossings to adjacent land. This includes sidewalks along adjacent streets. The Plan Commission may determine that an alternative to a sidewalk along adjacent streets better serves the purpose of connecting commercial destinations.

8. Facades Greater Than One Hundred (100) feet in Length

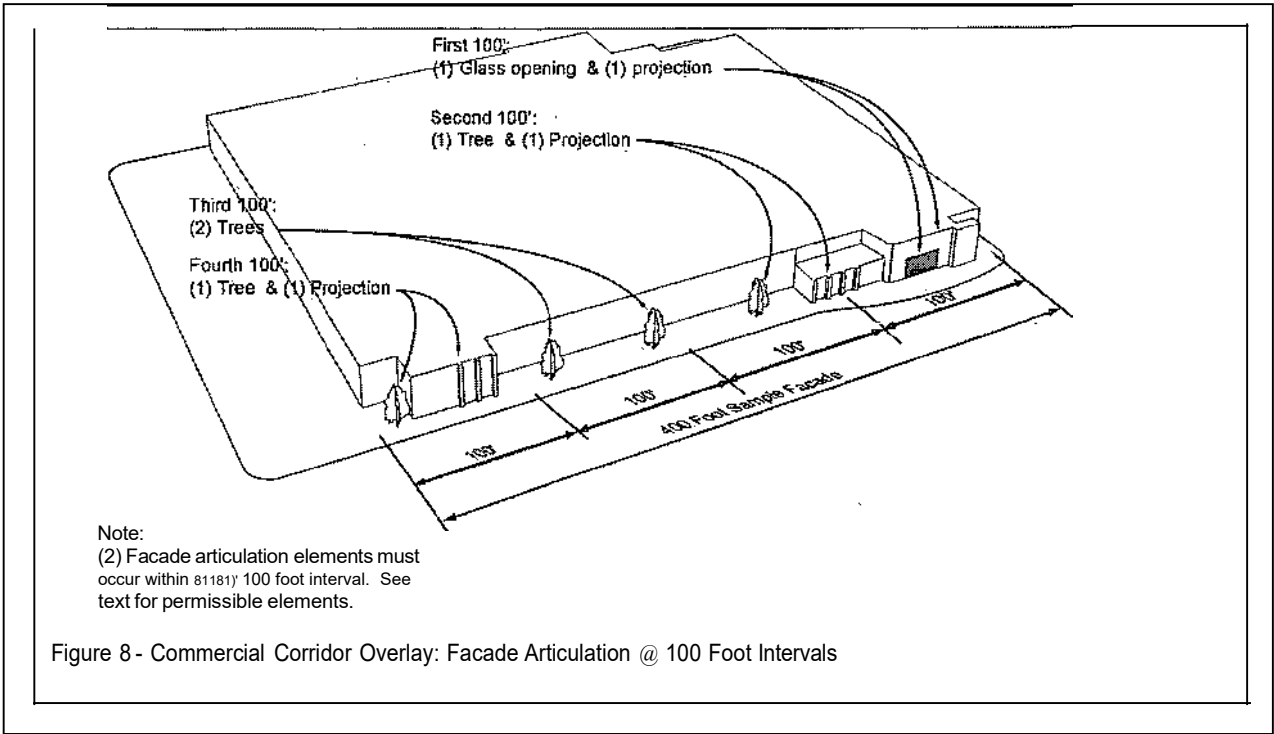
In order to add architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size, the following additional standards apply for facades greater than one hundred (100) feet in length. (See figures 9 and 10)

A. No wall that faces a street or connecting walkway may have a blank, uninterrupted length exceeding one hundred (100) feet without including at least two (2) of the following design elements:

- a. change in planes (recess or projection)
- b. change in texture or masonry pattern
- c. windows, or
- d. an equivalent element, that subdivides the wall into human scale proportions, (e.g. a tree from group "8" of the Landscaping Standards in this document)

B. Any change in wall plane such as projections or recesses must have a depth of at least six (6) inches.

C. Overhanging eaves must extend to no less than three (3) feet past the supporting walls must be provided.



9. Facades Less Than One Hundred (100) feet in Length

In order to achieve architectural interest and variety and avoid the effect of a single, long or massive wall with no relation to human size, the following additional standards apply for facades less than one hundred (100) feet in length. (See figure 11)

A. No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding thirty (30) feet without having at least two of the following design elements:

- a. change in planes (recess or projection)
- b. change in texture or masonry pattern
- c. windows, or
- d. treillage with vines or an equivalent element, that subdivides the wall into human scale proportions, (e.g. a tree from group "B" of the Landscaping Standards in this document)

8. Any change in wall plane such as projections or recesses must have a depth of at least six (6) inches.

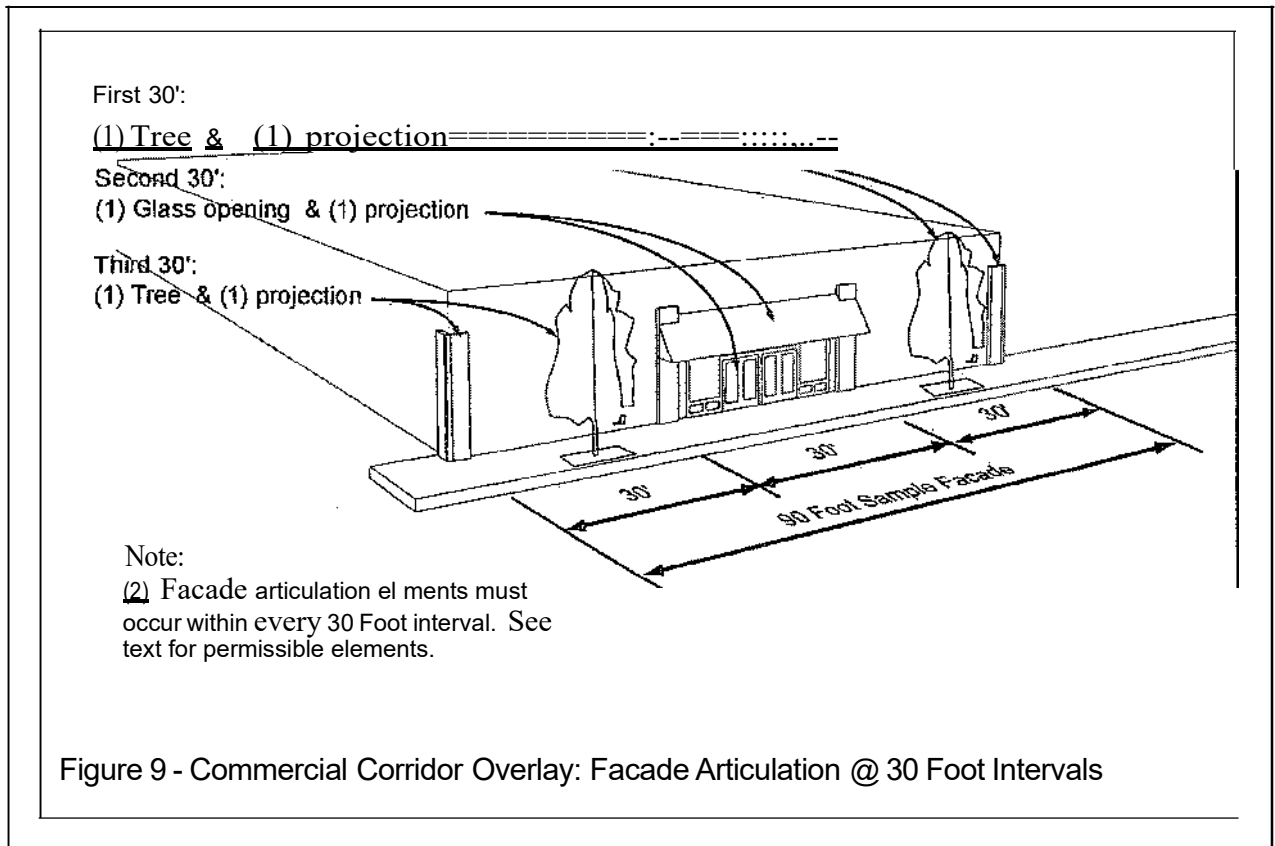


Figure 9 - Commercial Corridor Overlay: Facade Articulation @ 30 Foot Intervals

10. Facades Generally

The building facades facing any adjacent street must have a finished facade. Building facades should have unified and complimentary finished materials. Acceptable materials include glass, brick, decorative concrete block, stucco and wood. All sides of buildings should be of similar materials. Metal buildings shall

not be permitted. No loading docks or trash collection bin may be placed on or along the facades that face any adjacent street and are within one hundred (100) feet of the adjacent street without adding additional landscape screening along the public right-of-way per Section (2).C. of the Landscaping Standards of this document.

11. Entrances

Each establishment on a site shall have clearly defined, highly visible customer entrances featuring at least two (2) of the following:

- A. canopies or porticos
- B. recesses/projections
- C. arcades
- D. peaked roof forms
- E. arches
- F. display windows
- G. architectural details such as tile work and molding which are integrated into the building structure and design.

12. Central Features and Community Spaces

A. The development must contribute to the establishment of community and public spaces by providing at least two (2) of the following.

- a. patio/seating area
- b. pedestrian plaza with benches
- c. transportation center (bus station, etc.)
- d. window shopping walkway
- e. outdoor playground area
- f. water feature
- g. clock tower
- h. other such deliberately shaped area and/or focal feature or amenity that adequately enhances the development's community and public spaces.

8. Any such area shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.

C. The approximate locations of the community and public spaces within the development are shown on the Planned Development Exhibit

C. In order to further encourage innovative building designs capable of enhancing the quality of the built environment in this key commercial corridor, the Plan Commission may grant a waiver of any landscaping, sign or setback standards. In order to grant this waiver, the Plan Commission must find the proposed development:

- a. Displays an innovative use of sign design, building design, building materials, site design features, or landscaping that will enhance the use and value of the neighboring properties,
- b. Is consistent with the intent of the Commercial Corridor Overlay District

D. The Plan Commission must make written findings concerning each decision to approve or disapprove a development plan. To approve a development plan in this district, the Plan Commission must find the proposed development plan:

- a. Is consistent with the intent of Article VI: Commercial Corridor Overlay District
- b. Satisfies the development requirements specified within this document.

VIII. SUBDIVISION CONTROL (Added per 2017-OR-78)

A. Compliance with Design Standards. It is the intent that the development standards set forth herein pertain to the overall development of Jeffersonville Town Center and not to particular lot or portion thereof. Accordingly, notwithstanding anything to the contrary contained in these development standards, so long as:

- 1. Any preliminary, final plat, or development plan application, of any part of Jeffersonville Town Center West, Phase I, or any future phase or section of Jeffersonville Town Center, is substantially similar to the depiction set forth on any approved Final Detail Development Plan obtained or amended as part of the PD-C2 zoning process; and
- 2. Private easements affecting the real property described in such preliminary or final plat provide a legal means of access and utilities to and from the subject real property to a publicly dedicated right of way or utility trunk line,

the preliminary, final plat, or development plan, shall be deemed to be in compliance with the development standards set forth herein as well as the Principals and Standards of Design and Standards of Improvement set forth in Sections 155.30 and 155.40 of 96-0R-28, *et seq.*, as amended or replaced (the "Subdivision Control Ordinance), and shall be approved subject to the remaining provisions of said Subdivision Control Ordinance.

[SIGNATURE PAGE TO FOLLOW IMMEDIATELY]

These Development Standards for Jeffersonville Town Center are executed this 11 day of

July, 2018.

KOETTER FIVE STAR PROPERTIES INDIANA,
an Indiana limited liability company

By: [Signature]
John L. "Jack" Koetter, Member

JEFFERSONVILLE TOWN CENTER, LLC,
an Indiana limited liability company

By: [Signature]
John L. "Jack" Koetter, Member

JAKE COMMERCIAL PROPERTIES LLC,
an Indiana limited liability company

By: [Signature]
John L. "Jack" Koetter, Member

STATE OF INDIANA
COUNTY OF CLARK

BEFORE ME, the undersigned, a Notary Public, in and for the above-named County and State, this 11 day of July, 2018, personally appeared John L. "Jack" Koetter, as member of Koetter Five Star Properties Indiana, LLC, Jeffersonville Town Center, LLC and Jake Commercial Properties LLC, all being Indiana limited liability companies, and acknowledged the execution of the foregoing instrument for and on behalf of said companies.

WITNESS my hand and notarial seal.

My Commission expires:

2/3/22



WENDYL NICKLES Notary Public

Clark County
My Commission Expires
February 3, 2022

Resident of uua

County

Nickles

I hereby affirm under the penalties of perjury that I have reviewed the above instrument for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers in accordance with the provisions of Indiana Code §36-2-7.5, and that I am the preparer of the foregoing instrument.

Alan M. Applegate
Applegate Fifer Pulliam LLC
428 Meigs Avenue
Jeffersonville, IN 47130
(812) 282-9499

Exhibit "A"- Legal Description
DESCRIPTION OF A 77.841-ACRE TRACT
IN SURVEY NO. 33 OF THE ILLINOIS GRANT
CLARK COUNTY, INDIANA

That part of Survey No. 33 of the Illinois Grant, City of Jeffersonville, Clark County, Indiana being further described as follows:

Commencing at a steel bolt at the south corner of Survey No. 33, being the east corner of Survey No. 32, and being on the northwest line of Survey No. 20, located in Charlestown-New Albany Road; thence along the line dividing said Survey Nos. 33 and 20, North 54°50'44" East, 611.21 feet to the TRUE POINT OF BEGINNING;

Thence North 34°52'21" West, 344.38 feet to a steel pin; thence South 55°07'39" West, 10.00 feet to a steel pin; thence North 34°52'21" West, 241.72 feet to a steel pin; thence 359.01 feet along the arc of a curve to the right, having a radius of 260.00 feet and a chord which bears North 04°41'06" East, 331.16 feet; thence North 80°05'12" West, 487.18 feet to a steel pin on the eastern right-of-way of the Louisville and Indiana Railroad (formerly Conrail); thence along said right-of-way the following three (3) courses:

- (1) North 08°29'10" East, 717.21 feet to an iron pipe; thence
- (2) North 08°32'32" East, 574.87 feet to a stone; thence
- (3) North 08°31'32" East, 508.48 feet to the south right-of-way line of Veterans Parkway; thence

along said right-of-way the following six (6) courses:

- (1) South 84°47'03" East, 605.35 feet; thence
- (2) South 87°12'42" East, 403.11 feet; thence
- (3) South 80°05'12" East, 450.00 feet; thence
- (4) South 74°22'34" East, 100.50 feet; thence
- (5) South 78°27'00" East, 350.14 feet; thence
- (6) South 47°36'34" East, 82.00 feet to the western right-of-way of Hamburg

Pike; thence along said right-of-way, South 06°07'09" East, 111.80 feet; thence along said right-of-way, South 04°11'09" West, 626.06 feet to a steel pin; thence South 85°17'21" East, 54.92 feet to a 1" x 1/4" x 1/4" nail on the centerline of Hamburg Pike; thence along said centerline, South 04°10'52" West, 297.07 feet to a 1" x 1/4" x 1/4" Nail; thence South 44°13'44" West, 581.22 feet to a steel pin; thence North 34°56'12" West, 451.84 feet to a steel pin; thence North 79°54'17" West, 318.64 feet to a steel pin; thence South 55°07'39" West, 778.71 feet to a stone; thence thence South 34°56'12" East, 844.38 feet to the line dividing said Survey Nos. 33 and 20; thence along said line, South 54°50'44" West, 349.45 feet to the True Point of Beginning.

This tract of land contains 77.841 Acres, which is subject to all rights-of-way and easements of record.