

**Floyd County Board of Commissioners
Resolution Pertaining to Establishment of Planned Unit Development
(PUD- Highland Center FCPC Docket 11-06-50)**

Whereas, the Floyd County Board of Commissioners met on February 6, 2007 on this matter pursuant to IC 36-7-4-1500; and

Whereas, the Board received from the Floyd County Plan Commission a favorable recommendation of the proposed Planned Unit Development (PUD-Highland Center FCPC docket 11-06-50). The zoning classification has amended as follows:

1. The following parcel described as follows: Legal Description Exhibit A, see attached be changed from General Commercial to Planned Unit Development PD-GC-01 to permit a unified commercial development on a 2.7 acre +/- in accordance with Exhibit B proposed Plan Unit Development Detail Plan, attached, and
2. The land use for this PD-GC-01 shall be limited to a unified commercial development as described in the Proposed Plan Unit Development District.
3. The Planned Unit Development District PD-GC-01 shall be developed in conformance with the PUD plan, said plan dated November 29, 2006 which was given a favorable recommendation at the January 19, 2007, Floyd County Plan Commission meeting as per Exhibit B, attached, subject to the following conditions/commitments.
 - a. The applicant shall provide, as written commitments, to be recorded in the Office of the Floyd County Recorder the following elements.
 - i. The applicant shall provide that all proposed buildings are architecturally compatibility with the Yenowine-Collins home. The applicant shall provide the Plan Commission Office and County Plan for a site plan(s) approval prior to the issuance of an improvement permit. Proposed building material shall be brick or wood. Roof line shall be consistent and complimentary of that of the Bank (Yenowine-Collins) building. Window and window treatments shall be consistent and complimentary with the treatments of the Yenowine-Collins home.
 - ii. The applicant shall provide a right in only and right out only entrance for the entrance located across from the Medical Center entrance.

- iii. The applicant in coordination with the Historic Landmarks Office shall provide for a visual easement to be extended from the front façade of the Yenowine-Collins home to the right-of-way of State Road 64. No signage shall be placed in visual easement. Parking spaces within the visual easement shall be reviewed at time of secondary review for the building to determine necessity.
- iv. The applicant shall submit prior to secondary review approval a drainage plan subject to the approval of the County Surveyor and County Engineer.
- v. The applicant agrees to the creation of a landscaped median to the rear entrance when the development north of the property occurs.
- vi. The applicant shall provide final restrictions and covenants prior to secondary review.

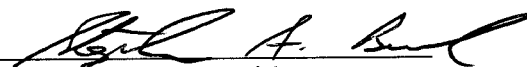
Whereas, the Plan Commission held a public hearing on the matter on January 19, 2007, and heard from both proponents and opponents of the proposed Plan Unit Development to the zoning ordinance and zoning map.

NOW, THEREFORE,

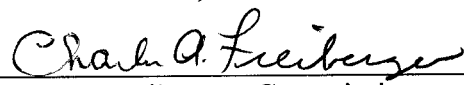
BE IT RESOLVED that Floyd County Zoning Ordinance and Map is amended as indicated on Exhibit A and Exhibit B.

SO RESOLVED this 6th day of February 2007.

BOARD OF COMMISSIONERS
COUNTY OF FLOYD


Stephen A. Bush, President


Mark Seabrook, Commissioner


Charles Freiberger, Commissioner


ATTEST:

Teresa Plaiss, County Auditor

Exhibit A

Legal Description

DESCRIPTION OF A 2.703-ACRE TRACT PROPOSED PLANNED UNIT DEVELOPMENT

That part of the southwest quarter of Section 36, Township 2 South, Range 5 East, Georgetown Township, Floyd County, Indiana being further described as follows:

Commencing at an iron bolt that marks the northwest corner of the southwest quarter of said section;

Thence along the north line of said southwest quarter, North 89 degrees 52 minutes 30 seconds East, 344.82 feet;

Thence leaving said north line, South 11 degrees 55 minutes 12 seconds East, 914.59 feet;

Thence South 00 degrees 01 minutes 23 seconds West, 715.67 feet to the northern right-of-way line of State Road 64;

Thence along said northern right-of-way line, South 89 degrees 58 minutes 39 seconds East, 114.15 feet;

Thence continuing along said right-of-way line, South 77 degrees 43 minutes 39 seconds East, 31.28 feet to a steel pin and cap the True Point of Beginning;

Thence leaving said right-of-way line and along the eastern line of a 50-foot wide roadway, 236.88 feet along a curve to the left having a radius of 1721.76 feet and a chord which bears North 02 degrees 29 minutes 47 seconds East, 236.70 feet to a steel pin and cap;

Thence leaving said eastern right-of-way line, South 81 degrees 56 minutes 21 seconds East, 459.33 feet to a steel pin;

Thence South 00 degrees 20 minutes 28 seconds West, 291.68 feet to a pin on the northern right-of-way line of State Road 64;

Thence along the northern right-of-way line of State Road 64 for the next four calls:

1. North 65 degrees 53 minutes 39 seconds West, 88.35 feet to a steel pin and cap;
2. 250.83 along a curve to the left having a radius of 1497.40 feet and a chord which bears North 79 degrees 11 minutes 39 seconds West, 250.54 feet to a concrete right-of-way marker;
3. North 71 degrees 48 minutes 39 seconds West, 64.80 feet concrete right-of-way marker;
4. North 77 degrees 43 minutes 39 seconds West, 76.82 feet to the True Point of Beginning.

The above-described tract of land contains 2.703 acres, which is subject to all right-of-ways and easements (whether of record or not).

Exhibit B

Proposed Plan Unit Development Detail Plan: PD-GC-01 Highland Center

1. General Commercial Uses:

- a. The Applicant agrees to abide by all the uses expressly listed as permitted or conditional uses in the General Commercial Zoning District.

2. General Commercial Development Standards:

- a. The applicant agrees to the following the General Commercial Development Standards with the following exceptions from the General Commercial Development Standards.

- i. Maximum Lot Coverage shall be 83 percent impervious surface.
- ii. Maximum Primary Structures shall be 3 primary structures on 1 parcel. Allowance for parcel to be less than 1 acre if subdivided.
- iii. Section 5.20 parking shall be allowed for parking to extend into 100 percent of the front setback.
- iv. Section 5.21 parking shall be allowed for 119 spaces which is 7 less than required per ordinance.
- v. Section 8.06 (Edwardsville Gateway District) shall allow limited parking spaces (29 spaces) in front of building.