

**NOTICE OF OFFERING OF PROPERTY FOR LEASE BY
TOWN OF CLARKSVILLE REDEVELOPMENT COMMISSION**

The Town of Clarksville's Redevelopment Commission is offering for lease the parcels or property located at 342 Eastern Boulevard, 441 Auburn Avenue, and 420 Eastern Boulevard, Clarksville, Indiana. The parcels shall be combined into one for leasing purposes. The offering price shall be \$116,130.00. Offerors are directed to the Request for Proposals on the Town of Clarksville's website, clarksville.staging.ui-magic.com/, which identifies the following:

Maps and plats showing the size and location of the properties

The general location of the property.

Limitations on the use to be made of the real property offered.

The considerations the Redevelopment Commission shall take into consideration to determine the best bids.

A bid submitted by a trust (as identified in Indiana Code 30-4-1-1(a)) must identify each beneficiary of the trust and each settlor empowered to revoke or modify the trust.

The Commission will open and consider written offers for the lease of the property on Tuesday, November 26, 2019 at 2pm.

342 Eastern Blvd., 420 Eastern Blvd., and 441 Auburn Ave.



REQUEST FOR PROPOSALS: EASTERN BLVD. GATEWAY SPORTS COMPLEX

For the lease and development of Clarksville Redevelopment Commission owned properties. The subject properties are located along the Eastern Blvd. Corridor at Exit 2 of Indiana's Interstate 65 (I-65). The subject properties are to be privately developed for primary use as an indoor youth-sports complex.

INTRODUCTION

Clarksville’s Eastern Blvd. Corridor has experienced significant redevelopment and transformation over the past decade. The mixed-use corridor boasts retail and service oriented businesses as well as residential, recreational, and educational uses. As one of Clarksville’s oldest commercial corridors, the neighborhood commercial and predominantly locally-owned businesses character is one of its greatest definitions. Beginning in 2018, the Clarksville Redevelopment Commission (“Commission”) assisted in a series of property acquisitions to encourage additional redevelopment and economic growth along the corridor. The three properties identified in this Request for Proposal were acquired during those recent efforts. The Commission is hereby accepting Proposals from qualified real estate developers (“Developers”) to lease and develop the three subject properties described below and depicted on page 2. Alta surveys for the subject properties can be found in Appendix A. The subject properties sum approximately four (4) acres. The following figures are the independent land areas of each property:

342 Eastern Blvd:

Parcel #: 10-14-00-800-046.000-012

Area: 1.8 +/- Acres

420 Eastern Blvd:

Parcel #: 10-14-00-800-045.000-012

Area: 1 +/- Acres

441 Auburn Ave:

Parcel #: 10-14-00-800-038.000-012

Area: 1.3 +/- Acres

The lease site is located at Exit 2 of I-65 (Eastern Blvd). The site and surrounding properties serve as a gateway and focal point for residents and visitors entering Clarksville. As previously mentioned, the site is located along Clarksville’s Eastern Blvd. Corridor. The corridor contains numerous public facilities like Gateway Park and the Clarksville Little League Complex, Renaissance Academy, the Clarksville Public Library, the future location for the Clarksville Farmers Market/ Public Plaza at Gateway Crossing, and a future trailhead for Clarksville’s Discovery Trail System. The recently announced Gateway Crossing mixed-use project will bring new residents and businesses to the corridor in 2020. It is the opinion of the Commission that a well-designed and professionally-managed indoor youth sports complex will bring additional private investment to the corridor, compliment the corridor’s existing mix of land uses, and further promote Clarksville’s already strong sports tourism industry.

The Commission has several goals for development of this site. The accepted Proposal and ensuing development will utilize strong site planning and architectural design, incorporate aesthetically pleasing materials and sound building practices, and reinforce the site’s prominence as a gateway and focal point for the community. The development’s proposed land use(s) should enhance the corridor’s mixed-use neighborhood character and site’s regional Interstate access by incorporating users and/or management programming with neighborhood services and regional attractants. The development will be an asset to the Town of Clarksville in terms of providing long-term financial and community benefits by promoting quality job additions. Regular facility programming will assist in fostering an improved sense of civic engagement and community pride. This development should be an engaging, people-scaled, and a friendly place where Clarksville residents and visitors are attracted. The Commission is seeking the best use and development to potentially include a combination commercial, retail, medical, and/or hospitality uses to accompany the primary sports recreation use. The development should have an arts/ cultural component.

342 Eastern Blvd., 420 Eastern Blvd., and 441 Auburn Ave.



SCOPE OF OPPORTUNITY

This Request for Proposals is an invitation for qualified Developers to submit Proposals to be accepted by the Commission to lease and develop property at Exit 2 of I-65 (Eastern Blvd.) The project area includes three (3) parcels which sum approximately four (4) acres. The project should be harmonious with the neighborhood character of the surrounding area. The project must adhere to all applicable zoning and development ordinances, which must be confirmed by the Developer, or identify likely deficiencies that would require Commission approval to seek the necessary waivers, variances, etc. from the applicable bodies. All actions to address likely deficiencies is the sole responsibility of the Developer. The subject properties are within the Eastern Blvd. Corridor Zone zoning classification.

DESIGN PROGRAM & CRITERIA

GENERAL

The design should comply with all requirements of the *2011 Town of Clarksville Zoning Ordinance*. Given the site's visibility and prominence, each building should be designed such that it appears as if there is no specific rear building façade. Auburn Avenue, the existing roadway bisecting the properties, must remain in place.

BUILDING DESIGN

The development should be architecturally harmonious with the neighborhood character. The development must be designed so that every primary façade engages pedestrians at the street level and features defined entrances through the use of architectural detail. Primary facades are defined as those fronting a public right-of-way. Every non-primary façade should be designed so that the design of the primary façade wraps the corner by a minimum of 30 linear feet. Building architecture should be inviting, multi-dimensional, and human-scaled.

SITE DEVELOPMENT

The site design should provide for and encourage pedestrian connectivity between the parcels and Eastern Blvd. Site design elements such as cafe seating areas, colorful/textural paving materials, street furnishings, art, water features, landscape structures, and lighting are strongly encouraged to provide a multi-dimensional visitor experience.

COMMERCIAL DIFFERENTIATION

Developers are required to submit a separate signed letter of intent for each commercial user within the proposed development. Letters of intent must be acquired for 85% of the development’s gross leasable footprint of non-recreational users.

Developers are required to disclose the percentage of gross leasable square feet which they would reserve to relocate existing Clarksville commercial businesses within their Proposal. The Commission reserves the right to monitor the amount of gross leasable square feet occupied by such tenants for a thirty-six (36) months period following completion of construction. The Commission, as landlord, reserves the right to assess liquidated damages if the disclosed percentage is exceeded within the specified monitoring period.

ART SPACE

Public art must be incorporated into in each proposed development. Example illustrations should be provided.

PARKING

Each site shall provide parking in accordance with the current local zoning ordinance. Locating on-site parking spaces between the streets edge and building façades along Eastern Blvd. is discouraged. Developers shall provide a parking matrix which clearly delineates the total number of parking space provided vs. required. The matrix should be separated by land use and proposed tenant spaces.

LANDSCAPE DESIGN

The landscape should be in compliance with Article 4 – Division 180 – Landscaping of the *2011 Town of Clarksville Zoning Ordinance* and feature plants that are either indigenous to the region, or are well-suited to the local climate. The proposed plantings should complement and reinforce the building architecture in addition to enhancing the lush character of outdoor spaces with texture, color, and visual interest.

UTILITIES

The location of municipality maintained utilities to serve the development can be found in Appendix B.

PROPERTY LEASE CONDITIONS

The advertised annual lease price of the property is \$116,130.00, the average price of two appraisals obtained by the Commission. The Developer should include their proposed lease price for the subject properties in the narrative section of their Proposal.

The Commission seeks to enter into a triple-net land lease with a maximum period equal to or less than 30 years. It is advised that a draft lease agreement which defines the land lease rate and Developer's requested specific terms of the lease be included in the Proposal. The Commission will use the information to assist in evaluating the Proposal and negotiation purposes should the Proposal be selected.

The site and any improvements are offered "as-is" by the Commission without any guarantee of environmental conditions. The Commission intends to complete demolition of the existing above ground improvements at 342 Eastern Blvd. and 441 Auburn Avenue prior to January 1, 2020. The developer must lease all of the subject properties offered by the Commission.

SUBMITTAL REQUIREMENTS

All Developers shall submit eight (8) bound copies of their Proposal, and a flash drive or CD containing their Proposal for duplicating purposes. The proposal shall be bound and printed on 8 1/2 x 11 letter-sized paper. Visual aids may be printed on 11 x 17 sized paper and bound in the proposal. The Developer may also submit up to three (3) board-mounted graphics or display pieces in a size not to exceed 24" x 36", as well as eight (8) paper copies of the graphics reduced to 11"x 17" size. One (1) material sample board in a size not to exceed 24" x 36" may also be submitted.

OVERALL PLAN & DESIGN OF THE PROPOSED DEVELOPMENT

PROJECT PLAN

a. Narrative

Description of the overall development project.

Name of the Developer or proposing group

Name, address and phone number of the principal contact person

b. Letters of Intent

A detailed explanation of the business credentials and a letter of intent specific to the operator of the indoor sports facility. Brief description of each complementary tenant that an authorized letter of intent has been provided for.

SITE PROGRAM ANALYSIS

a. Total square footage of building and tenant space sizes being proposed per land use.

b. Number, size, and configuration of commercial spaces.

c. Total number of parking spaces proposed, including vehicular and bicycle.

d. Total percentage of gross leasable square feet reserved for relocation of Clarksville commercial businesses.

e. Height of building(s).

SITE CONTEXT PLAN

Plan that shows the connectivity and relationship of the proposed development to the surrounding properties.

SITE PLAN DIAGRAM

- a. Building location(s)
- b. Circulation patterns including vehicle ingress/egress, pedestrian & bike
- c. Landscaping areas and planting list(s).

SITE PLAN RENDERING, INCLUDING:

- a. Building footprint
- b. Parking/ingress/egress areas
- c. Any other significant site improvements

BUILDING ELEVATIONS & SITE SECTIONS

Showing the relationship between the proposed development, the surrounding properties, and streetscape.

CONCEPT MATERIALS PHOTO SHEETS AND SAMPLES

- a. Proposed material boards
- b. Materials for outdoor spaces
- c. Concept plant materials
- d. Proposed signage

GRAPHIC/ILLUSTRATIVE RENDERINGS OF PROPOSED DEVELOPMENT.

Showing the relationship between the proposed development, the surrounding properties, and streetscape.

ANTICIPATED BENEFITS OF THE DEVELOPMENT

FINANCIAL RETURN

Financial benefit of the development to the Town of Clarksville, including anticipated tax revenues.

SPORTS TOURISM ECONOMIC IMPACT ANALYSIS

Comprehensive economic impact analysis for the proposed indoor-sports facility based upon similar facilities in Indiana.

JOB CREATION POTENTIAL

Number and types of new jobs that this proposal will create, with income ranges. Please include projections for total number of new businesses.

CIVIC ENHANCEMENTS

Potential community and other non-monetary benefits of this development for visitors and residents of the Town.

DEVELOPMENT TEAM EXPERIENCE AND CAPABILITY

FINANCIAL PLAN & DEVELOPMENT TIMING

The following items must be provided:

- a. Description of funding sources to be used to develop the property.
- b. Written evidence that the Developer has procured a firm and irrevocable commitment that all the necessary funds to develop the property as proposed have been secured.
- c. Development proforma

- a. Hard and soft costs
 - b. Financing costs
 - c. Proposed tenant fees by square feet
 - d. Gross revenues for the first five (5) years of operation of the proposed development
 - e. Etc.
- d. Development timing

Developer must include a written narrative and a graphic timeline showing all major milestones of project development until final completion. This includes the due diligence period, planning, design, permitting, and construction.

If development does not begin within an agreed-upon time frame, the Town will have the option to repurchase the property at the original sale price. Such timeframe will be specified in a Development Agreement.

DEVELOPMENT TEAM

The Developer must form a Development Team consisting of individuals who, combined, have the necessary technical expertise and management capability to develop their Proposal. The Proposal should list a minimum of three (3) references that have knowledge of the Development Team's previous experience that is relevant to the proposed development. The Town may conduct reference checks on any member of the Development Team including principals, consultants, sub-consultants, or any other involved parties prior to final selection of a Proposal. The Town reserves the right to reject Proposals based on previous contractual or legal issues experienced by members of the Development Team.

- a. Table of Organization for Development Team
Developer must submit a graphic representation of Development Team's organizational structure.
- b. Bios of key Development Team Members, their qualifications, and their role in providing the services to be performed.
- c. Key Development Team Members' certifications and registration with regulatory agencies, professional organizations, etc.

SELECTION PROCESS

Complete submittal packages will be reviewed and evaluated by a Selection Committee on the criteria described below. A short list of qualified firms will then be invited to the Town Hall to make a formal presentation to the Commission and answer questions about the specifics of their Proposal. The Commission reserves the right, before awarding the contract, to require a respondent to submit additional evidence of qualifications, as it may deem necessary. The Commission shall be the sole judge of the competency of respondents.

The Commission reserves the right to accept or reject any or all submittals that it may, in its sole discretion, for any reason it deems fit.

Upon the successful negotiation of a Development Agreement, a formal contract will be prepared and submitted to the Commission and Town Council for approval, and executed by all parties.

SCORING CRITERIA

SCORING CRITERIA 1 (100 PTS)

The overall qualifications and experience of the Project Team, including past performance. This includes the Project Team’s experience with the design and development of similar projects, particularly projects within the Town of Clarksville or the Louisville Metropolitan Area.

SCORING CRITERIA 2 (150 PTS)

The quality, comprehensiveness, and innovation of the proposed development, including:

- a. Integration of all aforementioned Design Program & Criteria.
- b. Aesthetic quality of the building architecture as experienced at the street level and beyond; be a superior infill project.
- c. The developments design’s maximization of the property.
- d. Appropriateness of the design within its context, taking into consideration the neighborhood character.
- e. Safe and attractive integration of parking areas, as well as pedestrian, bicycle, and other vehicular circulation patterns.

SCORING CRITERIA 3 (100 PTS)

The anticipated value of the proposed development for the Town of Clarksville. For example: financial benefits for the Town of Clarksville, job creation potential, commercial differentiation, anticipated quality of potential jobs, ground floor retail, other civic/community benefits, etc.

SCORING CRITERIA 4 (75 PTS)

Developer and Project Team’s ability to fulfill the commitments stated in their Proposal. This includes the company’s capacity to meet financial and logistical development obligations.

SCORING CRITERIA TABLE

Scoring Criteria 1 - Qualifications of Development Team	100 pts
Scoring Criteria 2 - Quality of Design Proposal	150 pts
Scoring Criteria 3 - Value to the Town	100 pts
Scoring Criteria 4 – Development Obligations	75 pts
Bonus: Draft Lease Agreement	35 pts

SUBMITTAL INSTRUCTIONS

Submittal Packages must be received no later than Tuesday, November 26, 2019, 2:00 p.m EST. Any submittal packages received after the above-noted time will not be accepted under any circumstances. Any uncertainty regarding the time a submittal package is received will be resolved against the respondent. Submittal packages submitted after this designated time will be returned unopened. Please note that no faxed or electronic submissions will be accepted. Packages shall be submitted to the Town of Clarksville Redevelopment Commission by the submission deadline to the attention of:

Dylan Fisher
Redevelopment Director
Town of Clarksville
2000 Broadway Suite 208
Clarksville IN, 47129
812-283-1407
dfisher@townofclarksville.com
Eastern Blvd. Sports Complex

Inquiries shall be directed to Dylan Fisher, Redevelopment Director. The deadline for any and all inquiries will be Tuesday, November 19, 2019. No questions or inquiries will be entertained after this date. Interested developers may secure a copy of the RFP documents at the Clarksville Municipal Government Building, 2000 Broadway, Clarksville, IN 47129. RFP documents are also available online at www.townofclarksville.com (scroll towards the bottom of the homepage and select “Bids & RFPS”, and then select “Eastern Blvd. Sports Complex Request for Proposals”.)

APPENDIX A – ALTA SURVEYS

Note: Digital copies can be made available by email request to Dylan Fisher, Redevelopment Director.

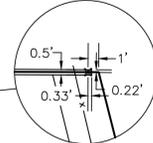
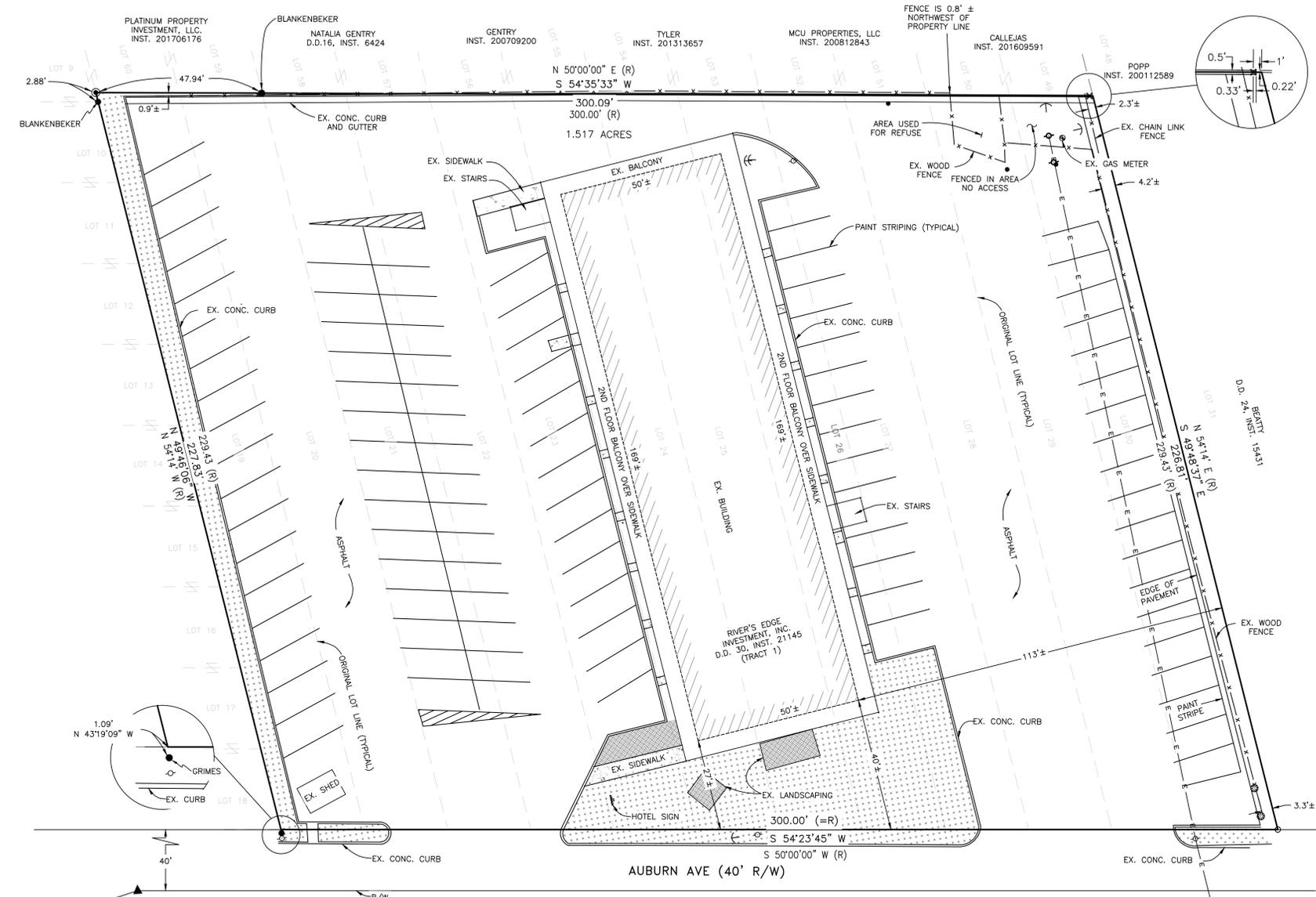
To: INDIANA LAND TRUST #120493 AND FIRST AMERICAN TITLE INSURANCE COMPANY:

This is to certify that this map or plot and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements of ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 7(a), 8, 9, 13, 16, 17, and 19 of Table A thereof. Also, this survey was executed according to the standards set forth in Title 865, Article 1, Rule 12 of the Indiana Administrative Code to the best of my knowledge and belief. Fieldwork was completed on November xx, 2018.



PRO-FORMA

April 5, 2018
Registered Land Surveyor No. 29800020



NORTH AND ALL BEARINGS SHOWN HEREON ARE BASED ON NAD 1983, INDIANA EAST ZONE, STATE PLANE COORDINATES AS DERIVED FROM GPS CONTROL AND OBSERVATIONS.

LEGEND

These standard symbols will be found in the drawing unless otherwise noted.

- STEEL PIN AND CAP SET THIS SURVEY
- ▲ MAG NAIL SET THIS SURVEY
- STEEL PIN FOUND PER SURVEY
- ⊥ UTILITY GUY ANCHOR
- ⊥ EXISTING SIGN
- EXISTING 4"x3" BOLLARD
- EXISTING POWER POLE
- EXISTING POST
- ▲ RAILROAD SPIKE FOUND (BLANKENBEKER)
- PIPE FOUND PER DEED
- LIGHT POST
- STEEL POST BOLLARD
- JTL JACOBI, TOMBS AND LANZ
- (R) RECORD BEARING AND/OR DISTANCE
- (=R) EQUAL TO RECORD BEARING AND/OR DISTANCE
- OVERHEAD ELECTRIC

- GRASS
- CONCRETE
- LANDSCAPING

SURVEYOR'S REPORT

In accordance with the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code, the following observations and opinions are submitted with reference to the uncertainties in the locations of the lines and corners established or re-established on this survey as a result of:

- Availability and condition of reference monuments;
- Occupation or possession lines;
- Clarity or ambiguity of the record description used and/or adjainer's description; and
- The relative positional accuracy of the measurements.

The relative positional accuracy of the measurements taken while conducting this survey is within the specifications for an "Urban" class survey (0.07 feet; plus 50 parts per million) as defined by IAC 865.

This is a retracement survey of Tract 1 as described in Deed Drawer 30 Instrument 21145.

In addition to the record descriptions and plats, the following surveys were evaluated to re-establish the existing deed lines: four surveys conducted by Blankenbeker & Son of the subject property (dated 1985, 1987, 1989 and 1998); a survey by Nathan Grimes (dated April 2016) of the property that is comprised of Lots 9 through 18; and an additional survey by Blankenbeker & Son (dated 2009) of a part of Lots 1 through 9 and Lots 59 and 60.

According to the record description, three of the four corners were to have been marked by iron pipes. Only one iron pipe and three pins were recovered along the perimeter of the property being surveyed. Two of the pins found were the result of the Blankenbeker & Son survey dated 2009 and the other being the result of the Grimes survey. A railroad spike was found along the southwest right-of-way line of Auburn Avenue across from the property being surveyed. This spike was set as a result of 1985 Blankenbeker & Son survey.

It should be noted, during the 1985 Blankenbeker & Son survey, all three of the pipes called for in the record description were found. The distance measured between the pipes along the southwest line of Lot 19 was 227.83 feet. This measured distance is 1.6 feet short of record dimension. The 1985 Blankenbeker & Son survey re-established the north corner of Lot 30 at 226.81 feet from the iron pipe found at the east corner of said lot. This dimension is 2.62 feet short of deed dimension.

As stated before, the record description calls for iron pipes to mark three of the four corners. To determine the location of the missing deed called for monuments the bearings and distances shown on the Blankenbeker surveys were used in relation to the monuments found to re-establish their locations. The basis for the orientation of the survey model was the re-established along the northwest right-of-way line of Auburn Avenue. This right-of-way line was re-established holding the location of the iron pipe found at the east corner of Lot 30 and railroad spike found along southeast right-of-way line of Auburn Ave. This solution checked with the two pins found in the vicinity of the west corner of Lot 19.

A steel pin and cap set by Grimes was found near the south corner of Lot 19. This pin was set at record distance from a pin found at the west corner of Lot 19. (The pin mentioned to have been found making the west corner of Lot 19 was not recovered during this survey due to recent construction activities on the adjoining property.) The location of pin set by Grimes was not held due to the fact it did not represent the "true" location of the deed called for monument.

As a result of the above observation, it is my opinion that the uncertainties in the locations of the lines and corners established on this survey are as follows:

Due to availability and condition of reference monuments: 0 feet up to 2.62 feet when compared to deed dimensions.

Due to occupation or possession lines: 0 feet up to 4.2 feet ± as a result of fences and 0 feet up to 1.0 foot ± as a result of curbing along the northwest line.

Due to clarity or ambiguity of the record description used and/or adjainer's description: None observed.

Parking Summary
96 Regular Spaces
0 Handicap Spaces
0 Motorcycle Spaces

TITLE COMMITMENT NOTES

This survey does not constitute a title search by Hart's Surveying or Engineering, LLC, and as such we are not responsible for the investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, unrecorded easements, appurtenant easements, implied or prescriptive easements, or any other facts that on accurate and current title search may disclose. Information regarding these matters was gained from a policy issued by FIRST AMERICAN TITLE INSURANCE COMPANY as Commitment File No. NCS-926566-INDY, dated SEPT 19, 2018. The following comments are in regard to said commitment/report and the numbers in the comments correspond to those items in Schedule B, Part II of Part II. This surveyor's response will be delineated by {}.

- Item 1) through 3) Are not survey related matters; therefore, these items were not examined or addressed.
- Item 4) Relinquishment of all rights or easements of access, crossing, light, air and view over adjoining land dedicated for road purposes as Interstate Highway I-65. {} This property is not adjacent with the right of way of I-65 therefore does not effect the subject property.
- Item 5) Is not a survey related matter; therefore, this item was not examined or addressed.
- Item 6) Restrictions, dedications, conditions, reservations, easements and other matters shown on the plat of Birdmead Subdivision, as recorded in Plat Book 4, Page(s) 117, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c). [...]
- Item 7) and 8) Are not survey related matters; therefore, these items were not examined or addressed.

NOTES

THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

MONUMENTS SET OR RECOVERED THIS SURVEY ARE WITHIN 0.3'± OF GROUND SURFACE UNLESS OTHERWISE NOTED.

DOCUMENTS REFERRED TO BY DEED DRAWER (D.D.), DEED RECORD (D.R.), AND/OR INSTRUMENT (INST.) ARE RECORDS ON FILE AT THE CLARK COUNTY, INDIANA RECORDER'S OFFICE.

NO VISIBLE ABOVE GROUND EVIDENCE OF CEMETERIES WAS OBSERVED AT THE SUBJECT PROPERTY. THIS SURVEYOR IS NOT QUALIFIED TO ASSESS THE PRESENCE OF CEMETERIES OR BURIAL GROUNDS AND ANY PERSON OR INSTITUTION RELYING ON THIS SURVEY IS ENCOURAGED TO HAVE A CULTURAL RESOURCE STUDY OF THE SUBJECT PROPERTY TO DETERMINE THE PRESENCE OF ANY CEMETERIES, BURIAL GROUNDS, OR ARCHEOLOGICAL SENSITIVE AREAS.

THE LAND TITLE LINES SHOWN HEREON WERE DETERMINED BY USING THE DEEDS OF RECORD REFERENCED HEREON, THE RECOVERED MONUMENT OF RECORD OR BY COMMON REPORT, AND THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NO STATEMENT OR CERTIFICATION IS MADE TO OWNERSHIP, OCCUPATION OR POSSESSION AS DETERMINED BY THE FENCE LINES SHOWN HEREON.

WETLAND, ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NEITHER EXAMINED NOR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF ANY UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

THE SUBJECT PROPERTY IS SITUATED IN ZONE "NON-SHADED X" ACCORDING TO FEMA MAP NUMBER 18019C0267E, EFFECTIVE DATE APRIL 16, 2014.

NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING SIZE, DEPTH, CONDITION, OR CAPACITY OF ANY BURIED UTILITIES. ONLY VISIBLE, ABOVE GROUND APPURTENANCES OF ANY BURIED UTILITIES ARE SHOWN HEREON. HART'S SURVEYING & ENGINEERING, LLC DOES NOT CERTIFY TO THE ACCURACY, CORRECTNESS, OR COMPLETENESS OF ANY BURIED UTILITIES SHOWN HEREON.

THE SUBJECT PROPERTY IS SITUATED AT 342 EASTERN BLVD., CLARKSVILLE IN 47129.

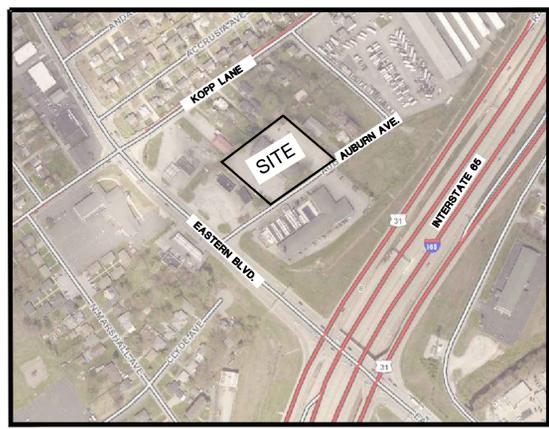
NO EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR ADDITIONS WAS OBSERVED WHILE CONDUCTING THIS SURVEY.

THIS SURVEYOR IS UNAWARE OF ANY FUTURE CHANGES IN THE STREET RIGHT-OF-WAY LINES. THIS MATTER NEEDS TO BE VERIFIED WITH THE TOWN OF CLARKSVILLE.

DESCRIPTION

BEING PART OF BIRDMEAD SUBDIVISION, BLOCK NO. 1, LOTS NOS. 19 THROUGH 30, FRONTING ON AUBURN AVENUE IN THE TOWN OF CLARKSVILLE, COUNTY OF CLARK AND STATE OF INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT NO. 19 IN BLOCK NO. 1 OF SAID BIRDMEAD SUBDIVISION, SAID CORNER BEING THE TRUE POINT OF BEGINNING AND MARKED BY AN IRON PIPE;
THENCE NORTH 54 DEG. 14 '00" WEST 229.43 FEET ALONG THE LINE DIVIDING THE TIER OF LOTS IN SAID BIRDMEAD SUBDIVISION, BLOCK NO. 1, FRONTING ON EASTERN BOULEVARD AND THE TIER OF LOTS IN SAID BLOCK NO. 1 FRONTING ON AUBURN AVENUE, TO A POINT IN THE LINE DIVIDING THE TIER OF LOTS IN SAID BLOCK NO. 1 FRONTING ON KOPP LANE, SAID POINT BEING MARKED BY AN IRON PIPE; THENCE NORTH 50 DEG. 00' 0" EAST, 300.00 FEET ALONG THE LINE DIVIDING THE TIER OF LOTS FRONTING ON KOPP LANE AND AUBURN AVENUE TO A POINT, SAID POINT BEING THE NORTHEASTERLY CORNER OF LOT NO. 30 IN SAID BLOCK NO. 1; THENCE SOUTH 54 DEG. 14' 00" EAST 229.43 FEET ALONG THE LINE DIVIDING LOTS NOS. 30 AND 31 IN SAID BLOCK NO. 1 TO A POINT IN THE NORTHERLY RIGHT-OF-WAY LINE OF AUBURN AVENUE SAID POINT BEING MARKED BY AN IRON PIPE; THENCE SOUTH 50 DEG 00' 00" WEST 300.00 FEET ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO A POINT, THE TRUE POINT OF BEGINNING, CONTAINING 1.5800 ACRES.



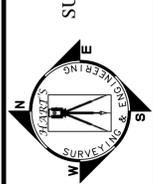
VICINITY MAP
NO SCALE

PRO-FORMA

REVISION	SYMBOL	DATE	DESCRIPTION

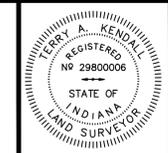
DATE:	11-29-18
DRAWN:	J.G.D.
CHECKED:	H.L.H.
SCALE:	1" = 20'
DRAWING NO.	18-150
FILE NO.	BIRDMEAD

HART'S
SURVEYING & ENGINEERING, LLC
958 WATER STREET
CHARLESTOWN, IN 47111
(812) 256-7781



ALTA/NSPS LAND TITLE SURVEY	TITLE HOLDER: RIVER'S EDGE INVESTMENT, INC.
CLIENT: INDIANA LAND TRUST #120493 C/O ICE MILLER LLP	RETRACEMENT SURVEY OF A TRACT OF LAND BEING PART OF LOTS 19 THROUGH 30, BLOCK NUMBER 1 OF BIRDMEAD SUBDIVISION (PLAT BOOK 4, PAGE 117) TOWN OF CLARKSVILLE, CLARK COUNTY, INDIANA
SHEET NO. 1 OF 1	
JOB NO. 18-150	

To: FIRST AMERICAN TITLE INSURANCE COMPANY,
PLATINUM PROPERTY INVESTMENTS, LLC, AND
INDIANA LAND TRUST #120574

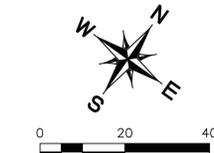


This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements of ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 7(a), 8, 9, 13, 16, 17, and 19 of Table A thereof. Also, this survey was executed according to the standards set forth in Title 865, Article 1, Rule 12 of the Indiana Administrative Code to the best of my knowledge and belief. Fieldwork was completed on May 10, 2019.

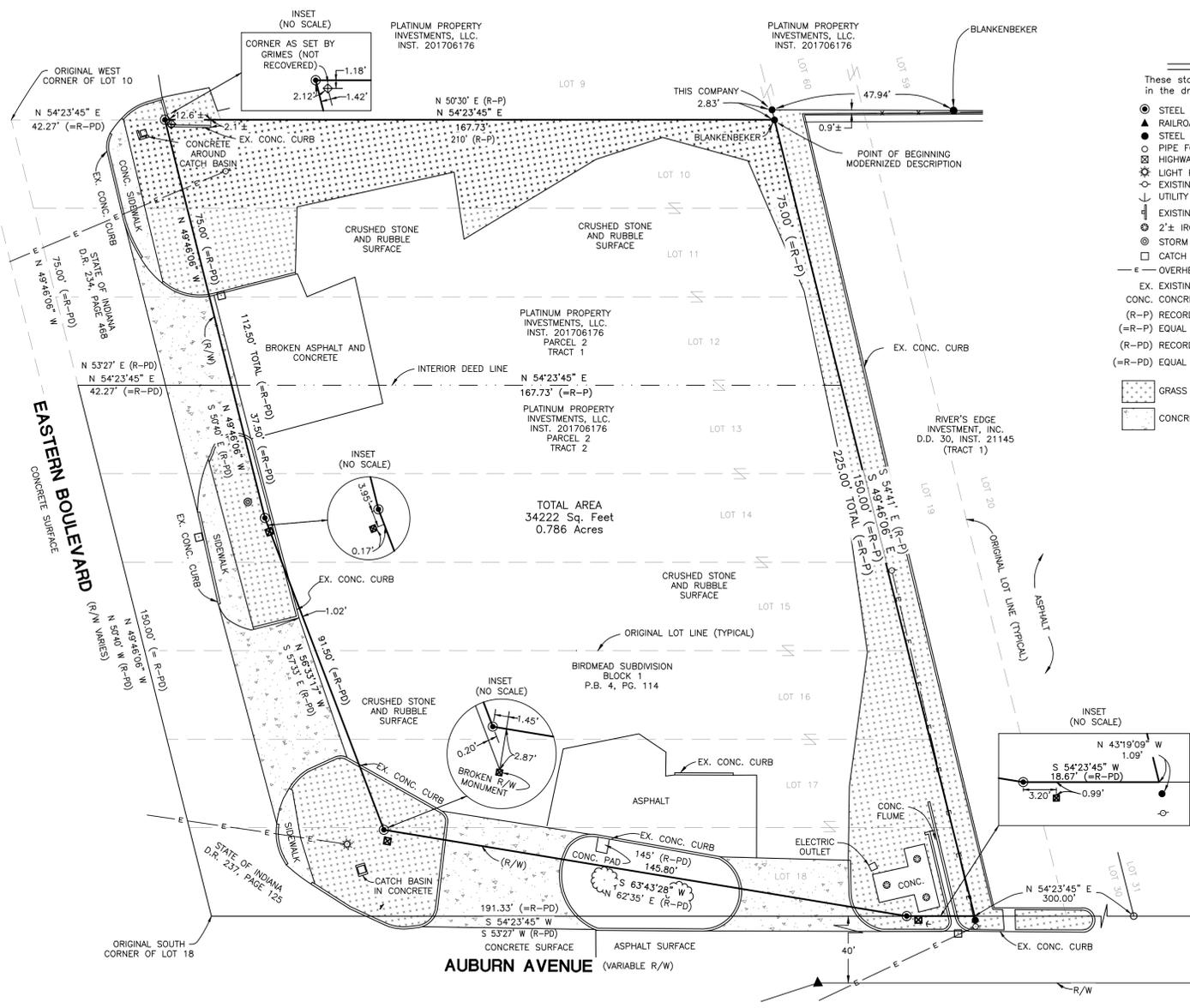
Terry A. Kendall
Registered Land Surveyor No. 29800006
05-10-19

LEGEND

- STEEL PIN AND CAP SET THIS SURVEY
- RAILROAD SPIKE FOUND (BLANKENBEKER)
- STEEL PIN FOUND PER SURVEY
- PIPE FOUND PER DEED
- ⊗ HIGHWAY RIGHT-OF-WAY MONUMENT FOUND
- LIGHT POST
- ⊖ EXISTING POWER POLE
- ⊖ UTILITY GUY ANCHOR
- ⊖ EXISTING SIGN
- ⊖ 2"± IRON SIGN POST REMNANTS
- ⊖ STORM SEWER MANHOLE
- ⊖ CATCH BASIN
- e — OVERHEAD ELECTRIC
- EX. EXISTING CONC. CONCRETE
- (R-P) RECORD BEARING AND/OR DISTANCE PER PLAT
- (=R-P) EQUAL TO RECORD BEARING AND/OR DISTANCE PER PLAT
- (R-PD) RECORD BEARING AND/OR DISTANCE PER PLATINUM PROPERTY INVESTMENTS DEED
- (=R-PD) EQUAL TO RECORD BEARING AND/OR DISTANCE PER PLATINUM PROPERTY INVESTMENTS DEED



NORTH AND ALL BEARINGS SHOWN HEREON ARE BASED ON NAD 1983, INDIANA EAST ZONE, STATE PLANE COORDINATES AS DERIVED FROM GPS CONTROL AND OBSERVATIONS.



DESCRIPTION PER TITLE COMMITMENT

TRACT 1:
LOT NUMBER 10, 11, AND 12 IN BLOCK 1 OF BIRDMEAD SUBDIVISION, A PART OF ILLINOIS GRANT NO. 5 OF CLARK COUNTY, INDIANA, AS SHOWN BY THE PLAT THEREOF ON FILE IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA IN PLAT BOOK 4, AT PAGE 117.

SUBJECT TO THAT PART THEREOF CONVEYED TO THE STATE OF INDIANA FOR RIGHT-OF-WAY BY INSTRUMENT DATED JANUARY 10, 1961 AND RECORDED MARCH 7, 1961 IN DEED RECORD 234, PAGE 468 OF THE CLARK COUNTY, INDIANA RECORDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

42.27 FEET BY PARALLEL LINES OFF THE SOUTHWEST SIDE OF THE ABOVE DESCRIBED LOTS.

TRACT 2:
LOT NUMBER 13, 14, 15, 16, 17 AND 18 IN BLOCK NUMBER 1 OF BIRDMEAD SUBDIVISION OF PART OF SURVEY NUMBER 8 OF THE ILLINOIS GRANT, AS SHOWN BY THE PLAT OF SUBDIVISION FILED IN THE OFFICE OF THE RECORDER OF CLARK COUNTY, INDIANA IN PLAT BOOK 4 AT PAGE 117 ON MAY 27, 1925.

SUBJECT TO THAT PART THEREOF CONVEYED TO THE STATE OF INDIANA RIGHT-OF-WAY BY INSTRUMENT DATED APRIL 21, 1961 AND RECORDED JUNE 30, 1961 IN DEED RECORD 237, PAGE 125 OF THE CLARK COUNTY, INDIANA RECORDS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE WEST LINE OF LOT 13 A DISTANCE OF 167.73 FEET FROM THE NORTHWEST CORNER OF LOT 13; THENCE SOUTH 50 DEGREES 40 MINUTES EAST 37.5 FEET TO A POINT; THENCE SOUTH 57 DEGREES 33 MINUTES EAST 91.5 FEET TO A POINT; THENCE NORTH 62 DEGREES 35 MINUTES EAST 145 FEET TO A POINT ON THE EAST LINE OF LOT 18 WHICH IS 18.67 FEET SOUTHWEST FROM THE NORTHEAST CORNER OF LOT 18; THENCE SOUTH 53 DEGREES 27 MINUTES WEST A DISTANCE OF 191.33 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EASTERN BOULEVARD; THENCE NORTH 50 DEGREES 40 MINUTES WEST 150 FEET ALONG THE SOUTH LINE OF LOTS 16, 17, 18, 15, 14, AND 13 TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EASTERN BOULEVARD; THENCE NORTH 53 DEGREES 27 MINUTES EAST 42.27 FEET TO THE POINT OF BEGINNING.

MODERNIZED DESCRIPTION OF 0.786 ACRES

That part of Lot Numbers 10, 11, 12, 13, 14, 15, 16, 17, and 18 in Block 1 of Birdmead Subdivision (Plat Book 4, Page 117), Town of Clarksville, Clark County, Indiana being further described as follows [The following description is the result of an ALTA Land Title Survey conducted by Hart's Surveying & Engineering, LLC, under the direction of Terry A. Kendall, (LS 29800006) on May 10, 2019, Job Number 19-43 as revised June 05, 2019]:

Beginning at a steel pin on the north corner of Lot 10, being South 49 degrees 46 minutes 06 seconds East, 2.83 feet from a steel pin on the west corner of Lot 19 in said Block 1; Thence along the line dividing Lots 10 through 18 from Lot 19, South 49 degrees 46 minutes 06 seconds East, 225.00 feet to the northwest right-of-way line of Auburn Avenue and the east corner of said Lot 18, said corner being North 43 degrees 19 minutes 09 seconds, 1.09 feet from a steel pin; Thence along said Auburn Avenue right-of-way line, South 54 degrees 23 minutes 45 seconds West, 18.67 feet to a steel pin and cap; Thence along said right-of-way line, South 63 degrees 43 minutes 28 seconds West 145.50 feet to a steel pin and cap on the northeast right-of-way line of Eastern Boulevard; Thence along said Eastern Boulevard right-of-way line, North 56 degrees 33 minutes 17 seconds West, 91.50 feet to a steel pin and cap; Thence along said right-of-way line, North 49 degrees 46 minutes 06 seconds West, 112.50 feet to a steel pin and cap; Thence North 54 degrees 23 minutes 45 seconds East, 167.73 feet; to the Point of Beginning.

The above described tract contains 0.786 acres, (34,222 square feet), which is subject to all rights-of-ways and easements whether of record or not.

SURVEYOR'S REPORT

In accordance with the Indiana Survey Standards as defined in Title 865, Article 1, Rule 12 of the Indiana Administrative Code, the following observations and opinions are submitted with reference to the uncertainties in the locations of the lines and corners established or re-established on this survey as follows:

- Availability and condition of reference monuments;
- Occupation or possession lines;
- Clarity or ambiguity of the record description used and/or adjainer's description, and;
- The relative positional accuracy of the measurements.

The relative positional accuracy of the measurements taken while conducting this survey is within the specifications for an "Urban" class survey (0.07 feet; plus 50 parts per million) as defined by IAC 865.

This is a retracement survey of Parcel 2 (Tracts 1 and 2) as described in Instrument 201706176.

In addition to the record descriptions and plats, the following surveys were evaluated to re-establish the existing deed lines: five surveys conducted by Blankenbeker & Son of the adjoining properties (dated 1985, 1987, 1989, 1998 and 2009); a survey by Nathan Grimes (dated April, 2016) of the property that is comprised of Birdmead Subdivision, Block 1, Lots 1 through 18, and Lots 59 through 60; and a survey of the northeast adjoining tract by this company, Job Number 18-150, dated November, 2018.

The northeast line was located by holding the recovered steel pin at the north corner of Lot 10 (as set by Blankenbeker) and the east corner of Lot 18 was calculated to be at record distances from said north corner of Lot 10 and from the recovered iron pipe found on the east corner of Lot 30 as shown on the Blankenbeker & Son surveys (the Blankenbeker corner having been removed during utility work). This calculated east corner of Lot 18 is 1.09 feet northwest of a steel pin set by Grimes. The original south corner of Lot 18 was calculated at record distance on the extended line from the east corner of Lot 30 and the east corner of Lot 18. The original west corner of Lot 10 was calculated at record distances from the north corner of Lot 10 and the south corner of Lot 18.

The 3 recovered right-of-way monuments were found to be from 3.22 feet to 3.95 feet from the Platium Property Investments, LLC deed locations.

Plan sheet number 24 (of 48) for the 65-1 project, section 46, contains right-of-way limits along the subject area of Eastern Boulevard and Auburn Avenue. The right-of-way lines shown agree with the subject deed and the State of Indiana deeds along Eastern Boulevard, but there appears to be a scrivener error in the State deed, Deed Record 237, Page 125 pertaining to Auburn Avenue. The stationing given for the angle point near the subject property east corner, 8+08, should be 8+58 to agree with said plans, the subject deed, and the right-of-way line of the northeast adjoining tract.

The west corner of the subject tract as set by Grimes was not recovered, but calculates to be North 88 degrees 06 minutes 49 second east, 2.12 feet from the corner as set this survey.

As a result of the above observation, it is my opinion that the uncertainties in the locations of the lines and corners established on this survey are as follows:

Due to availability and condition of reference monuments: 0 feet up to 4.12 feet as shown by right-of-way monument location when compared to deed right-of-way lines.

Due to occupation or possession lines: 1 foot up to 12.6 feet ± as a result of concrete curbing along Eastern Boulevard and near the west property corner.

Due to clarity or ambiguity of the record description used and/or adjoining descriptions: 0 feet up to 50 feet pertaining to the Auburn Avenue right-of-way as mentioned above. Also, there is an error in the deed description on the Title Commitment description of Tract 1, stating it to be in Survey #5 of the Illinois Grant. All of the Birdmead Subdivision is located in Survey #8, as correctly stated in the Tract 2 deed and Title Commitment descriptions.

TITLE COMMITMENT NOTES

This survey does not constitute a title search by Hart's Surveying or Engineering, LLC, and as such we are not responsible for the investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, unrecorded easements, appurtenant easements, implied or prescriptive easements, or any other facts that on accurate and current title search may disclose. Information regarding these matters was gained from a policy issued by FIRST AMERICAN TITLE INSURANCE COMPANY as Commitment File No. NCS-950356-INDY, dated March 8, 2019. The following comments are in regard to said commitment/report and the numbers in the comments correspond to those items in Schedule B, Part II. This surveyor's response will be delineated by {}.

- Schedule B, Part II, Part One
- Item 1) This is not a survey related matter; therefore, this item was not examined or addressed.
 - Item 2) Any discrepancies or conflicts in boundary lines, any shortage in area, or any encroachments or overlapping in improvements.
 - {A possible encroachment exists near the west property corner where concrete curb extends into the property approximately 2.1 feet and extends along the northwest property line approximately 12.6 feet.}
 - Item 3) through 7) Are not survey related matters; therefore, these items were not examined or addressed.

- Schedule B, Part II, Part Two
- Item 1) through 5) Are not survey related matters; therefore, these items were not examined or addressed.

NOTES

THE WORD "CERTIFY" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

MONUMENTS SET OR RECOVERED THIS SURVEY ARE WITHIN 0.3'± OF GROUND SURFACE UNLESS OTHERWISE NOTED.

DOCUMENTS REFERRED TO BY DEED DRAWER (D.D.), DEED RECORD (D.R.), AND/OR INSTRUMENT (INST.) ARE RECORDS ON FILE AT THE CLARK COUNTY, INDIANA RECORDER'S OFFICE.

NO VISIBLE ABOVE GROUND EVIDENCE OF CEMETERIES WAS OBSERVED AT THE SUBJECT PROPERTY. THIS SURVEYOR IS NOT QUALIFIED TO ASSESS THE PRESENCE OF CEMETERIES OR BURIAL GROUNDS AND ANY PERSON OR INSTITUTION RELYING ON THIS SURVEY IS ENCOURAGED TO HAVE A CULTURAL RESOURCE STUDY OF THE SUBJECT PROPERTY TO DETERMINE THE PRESENCE OF ANY CEMETERIES, BURIAL GROUNDS, OR ARCHAEOLOGICAL SENSITIVE AREAS.

THE LAND TITLE LINES SHOWN HEREON WERE DETERMINED BY USING THE DEEDS OF RECORD REFERENCED HEREON, THE RECOVERED MONUMENT OF RECORD OR BY COMMON REPORT, AND THEY ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NO STATEMENT OR CERTIFICATION IS MADE TO OWNERSHIP, OCCUPATION OR POSSESSION AS DETERMINED BY THE FENCE LINES SHOWN HEREON.

WETLAND, ENVIRONMENTAL AND SUBSURFACE CONDITIONS WERE NEITHER EXAMINED NOR CONSIDERED AS PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF ANY UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES THAT MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

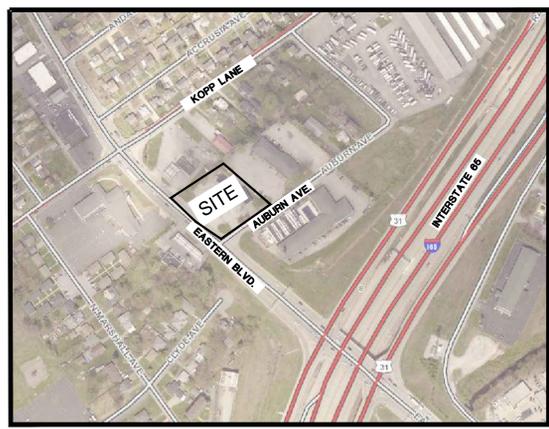
NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO OBTAIN OR SHOW DATA CONCERNING SIZE, DEPTH, CONDITION, OR CAPACITY OF ANY BURIED UTILITIES. ONLY VISIBLE, ABOVE GROUND APPURTENANCES OF ANY BURIED UTILITIES ARE SHOWN HEREON. HART'S SURVEYING & ENGINEERING LLC DOES NOT CERTIFY TO THE ACCURACY, CORRECTNESS, OR COMPLETENESS OF ANY BURIED UTILITIES SHOWN HEREON.

THE SUBJECT PROPERTY IS SITUATED AT 420 EASTERN BLVD, CLARKSVILLE IN 47129.

THE SUBJECT PROPERTY IS SITUATED WITHIN "ZONE X (NON-SHADED)", AN AREA DETERMINED TO BE OUTSIDE THE 0.2% CHANCE FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL NUMBER 18019C0267E, EFFECTIVE DATE: APRIL 16, 2014.

THERE ARE NO BUILDINGS OR MARKED PARKING SPACES REMAINING DUE TO DEMOLITION WORK DONE ON THE SITE. REMAINING SUBSTANTIAL IMPROVEMENTS ARE SHOWN.

THIS SURVEYOR IS UNAWARE OF ANY FUTURE CHANGES IN THE STREET RIGHT-OF-WAY LINES. THIS MATTER NEEDS TO BE VERIFIED WITH THE TOWN OF CLARKSVILLE.



VICINITY MAP
NO SCALE

THE UNDERSIGNED, UNDER THE PENALTIES FOR PERJURY, HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

Terry A. Kendall

DESCRIPTION	CERTIFICATION AND NOTES	DATE	SYMBOL	REVISION
		06-05-19		1
		06-11-19		2

DATE: 05-10-19

DRAWN: T.A.K.

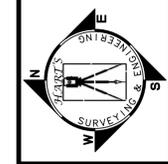
CHECKED: H.L.H.

SCALE: 1" = 20'

DRAWING NO. 19-43

FILE NO. BIRDMEAD

HART'S
SURVEYING & ENGINEERING, LLC
958 WATER STREET
CHARLESTOWN, IN 47111
(812) 256-7781



ALTA/NSPS LAND TITLE SURVEY

TITLE HOLDER:
PLATINUM PROPERTIES INVESTMENTS, LLC

CLIENT:
INDIANA LAND TRUST #120574 C/O ICE MILLER LLP

RETRACEMENT SURVEY OF A TRACT OF LAND BEING PART OF LOTS 19 THROUGH 30, BLOCK NUMBER 1 OF BIRDMEAD SUBDIVISION (PLAT BOOK 4, PAGE 117) TOWN OF CLARKSVILLE, CLARK COUNTY, INDIANA

APPENDIX B – MUNICIPAL UTILITIES

Municipal Utility Locations



APPENDIX C – EASTERN BLVD. CORRIDOR ZONING CLASSIFICATION

Note: A copy of the Town of Clarksville’s full zoning ordinance can be found at

<https://www.townofclarksville.com/wp-content/uploads/2019/05/CurrentZoningOrdinance.pdf>

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Sec. 75-10 Specific Purpose

The purpose of this zone is to enhance and protect the health, safety, and welfare of citizens and property owners of the Town of Clarksville. The intent is to guide both new development and redevelopment activities as follows:

- A. Establishment of a redeveloped area of mixed uses that supports a range of activities and opportunities focused on the neighborhood and community that surrounds the corridor.
- B. Assure that new development and redevelopment are compatible with the Comprehensive Plan.
- C. Promote the synergy of the Eastern Boulevard Corridor Zone with the Clarksville Parks and school complex.
- D. Promote appropriate arrangement and uses of land and buildings.
- E. Encourage mixed uses of land and buildings.
- F. Eliminate unsafe buildings and premises.
- G. Support pedestrian-oriented buildings and development, and multiple modes of transportation.
- H. Construct streetscapes which are attractive and designed to enhance the livability of the corridor and surrounding area.
- I. It is the Town's intent to achieve this purpose through the following measures:
 - 1. Provide consistent regulations for private and public properties in the corridor.
 - 2. Encourage additional opportunities for investment and reinvestments.
 - 3. Reuse or redevelopment of land and buildings will minimize the need for new infrastructure.
 - 4. Establish consistent guidelines and review of development and redevelopment plans.
 - 5. Improve the physical relationship between new buildings and existing buildings in the EBCZ.
 - 6. Provide ways to reduce dependency on automobiles through other modes of transportation.

Sec. 75-20 District Boundaries

This Eastern Boulevard Corridor Zone is hereby established, approved, and is illustrated on the zoning map.

Sec. 75-30 Plan Commission Review and Approval

The Clarksville Plan Commission must review, approve, approve with commitments or conditions, or disapprove a plan for new development or redevelopment in the EBCZ.

Sec. 75-40 Waiver

The Plan Commission, after public hearing, may grant a waiver of the dimensional standards up to ten (10) percent. In the case of parking, the number of parking spaces may be waived up to fifty percent (50%). This reduction may be waived in order to accommodate difficult site conditions including limited access, small lots, infill, or physical obstructions that may include trees and utilities. Any approval to permit such a waiver shall be subject to the following criteria:

- A. A proposed waiver of a regulation in this section shall be granted if it enhances the overall redevelopment of the adjoining properties, streetscapes, and neighborhoods.
- B. Self-imposed conditions or the desire for a greater economic return shall not be the basis or consideration in granting a waiver.
- C. The proposal shall not result in a site development or streets/circulation system that would be impractical or distract from redevelopment of the EBCZ.
- D. The change would not adversely affect emergency vehicle access.
- E. The proposed waiver shall exhibit extraordinary site design characteristics, including but not limited to increases in landscape treatment, tree preservation, and provision for bicycle and pedestrian traffic; and amenities such as benches, trash receptacles, and additional shaded areas.
- F. In granting a waiver, the Plan Commission may impose such conditions or request commitments that will, in its judgment, secure the purpose of this Division 75.
- G. This section does not affect the right of the applicant to petition the Board of Zoning Appeals for variance from development standards.

Land Use Classification

EBCZ land uses shall be in accordance with Table 75-1, Land Use Classification. Additional LBCS may be included. See Division 225 - Special Exception.

Table 75-1 Land Use Classification	
<i>USES PERMITTED BY RIGHT</i>	
LBCS - 1121 - Duplex Structures	
LBCS - 1130 - Accessory dwelling units - Use this category for an accessory unit, which is structurally separate and distinct from the main structure. An accessory unit is a second dwelling unit (structure-wise) that is added to an existing lot for use as a complete and independent dwelling.	
<i>See Division 157 for accessory dwelling requirements and development standards</i>	
LBCS - 1140 - Townhouses	
LBCS - 1200 - Multifamily Structure	
LBCS - 1210 - Retirement housing services	
LBCS - 1320 - Rooming and boarding	
LBCS - 1230 - Assisted living services	
LBCS - 1310 - Bed and breakfast inn	
LBCS - 1330 - Hotel, motel, tourist court	
LBCS - 2110 - Automobile sale or services establishment - <i>that is in compliance with Section 150-10: Automotive Repair, Paint, and Body Shop - Only the following are permitted:</i>	
	<ul style="list-style-type: none"> ➤ Automotive washing and polishing ➤ Car washes ➤ Detailing services (it, cleaning and polishing) automotive ➤ Garages, do-it-yourself automotive repair

<ul style="list-style-type: none"> ➤ Oil change and lubrication shops, automotive ➤ Quick-lube shops ➤ Self-service carwash
<p>LBCS - 2113 - Bicycle, motorcycle, ATV, etc. - <i>Only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Bicycle shops, motorized ➤ Moped dealers ➤ Motor scooters dealer
<p>LBCS - 2115 - Part, accessories, or tires - <i>Only the following are permitted;</i></p> <ul style="list-style-type: none"> ➤ Automobile parts dealers - new only ➤ Parts and accessories dealers, automotive - new only ➤ Tire dealers, automotive - new only
<p>LBCS - 2116 - Gasoline service - <i>Only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Convenience food with gasoline stations ➤ Gasoline stations with convenience stores ➤ Gasoline with convenience stores
<p>LBCS - 2120 - Heavy consumer goods sales or service - <i>Only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Bicycle repair and maintenance shops without retailing new bicycles ➤ Clock repair shops without retailing new clocks ➤ Cutlery (e.g. knives, scissors) sharpening, household-type ➤ Garment alteration and/or repair shops without retailing new garments ➤ Jewelry repair shops without retailing new jewelry ➤ Key duplicating shops ➤ Motorcycle repair shops without retailing new motorcycles ➤ Musical instrument repair shops without retailing new musical instruments ➤ Sewing machine, house-hold type, repair shops without retailing new sewing machines ➤ Shoe repair shops without retailing new shoes ➤ Tailor shops, alterations only ➤ Watch repair shops without retailing new watches
<p>LBCS - 2121 - Furniture or home furnishings - <i>Not used.</i></p>
<p>LBCS - 2122 - Hardware, home centers, etc. - <i>Only if not located within a big box store</i></p>
<p>LBCS - 2123 - Lawn and garden supplies - <i>Only if not located within a big box store</i></p>
<p>LBCS - 2125 - Electronics and Appliances</p>
<p>LBCS - 2131 - Computer and software</p>
<p>LBCS - 2132 - Camera and photographic supplies</p>
<p>LBCS - 2133 - Clothing, jewelry, luggage, shoes, etc.</p>
<p>LBCS - 2134 - Sporting goods, toy and hobby, and musical instruments</p>
<p>LBCS - 2135 - Books, magazines, music, stationery</p>
<p>LBCS - 2140 - Consumer goods, other - <i>Only the following are permitted:</i></p> <ul style="list-style-type: none"> ➤ Art supply stores ➤ Calendar shops ➤ Collector's items shops (e.g., autograph, card, coin or stamp) ➤ Flag and banner shops ➤ Flower shops, artificial or dried ➤ Religious goods (except books) stores ➤ Swimming pool supply stores ➤ Trophy shops (including awards and plaques)
<p>LBCS - 2141 - Florist</p>

LBCS - 2143 - Tobacco or tobacconist establishment

LBCS - 2145 - Antique shops, flea, markets, etc. – *Only the following are permitted:*

- Apparel stores, used clothing
- Book stores, used
- Clothing stores, used
- Consignment shops, used
- Furniture stores, used
- Music stores (e.g. cassette, instrument, record, tape), used
- Rare manuscript stores
- Record stores, used

LBCS - 2151 - Grocery store, supermarket, or bakery - *Only the following are permitted:*

- Bakery store, retailing only (except immediate consumption)
- Butcher shops
- Delicatessens (except grocery store, restaurants)
- Delicatessens primarily retailing a range of grocery items and meats
- Fish markets
- Food (i.e., grocery stores) - *Only if not located within a big box store*
- Grocery stores - *Only if not located within a big box store*
- Meat markets

LBCS - 2152 - Convenience store

LBCS - 2153 - Specialty food store

LBCS - 2154 - Fruit and vegetable store

LBCS - 2155 - Beer, wine, and liquor store - *Except the following:*

- Liquor stores, packaged
- Package stores (i.e., liquor)

LBCS - 2161 - Pharmacy or drug store

LBCS - 2162 - Cosmetic and beauty supplies

LBCS - 2163 - Optical

LBCS - 2210 - Bank, credit union, or savings institution - *Except the following:*

- Branches of foreign banks
- Branches, Federal Reserve Bank
- Check clearing activities of the central bank

LBCS - 2220 - Credit and finance establishment - *Only the following are permitted:*

- Home equity credit lending
- Loan companies (i.e., consumer, personal, small, student)
- Mortgage banking (i.e., non-depository mortgage lending)
- Mortgage companies
- National Credit Union Administration (NCUA)
- Pawnshops
- Short-term inventory credit lending
- SLMA (Student Loan Marketing Association)

LBCS - 2230 - Investment banking, securities, and brokerage - *Only the following are permitted:*

- Credit card processing services
- Electronic financial payment services
- Loan servicing
- Travelers' check issuance services

LBCS - 2240 - Insurance-related establishment

LBCS - 2250 - Fund, trust, or other financial establishment

LBCS - 2300 - Real estate, and rental and leasing

LBCS - 2310 - Real estate services - *Only the following are permitted:*

- Real estate agencies, real estate escrow
- Real estate agents' offices, real estate escrow
- Appraisal services, real estate
- Appraisers' offices, real estate
- Consultants' offices, real estate (except appraisers)
- Escrow agencies, real estate
- Fiduciaries' offices, real estate
- Land rental or leasing
- Listing services, real estate
- Real estate appraisal services
- Real estate appraisers' offices
- Real estate asset management services (except property management)
- Real estate consultants' offices (except agents, appraisers)
- Real estate escrow agencies
- Real estate escrow agents' offices
- Real estate fiduciaries' offices
- Real estate listing services

LBCS - 2320 - Property management services

LBCS - 2321 - Commercial property-related - *Only the following are permitted:*

- Office building, rental or leasing
- Professional office building, rental or leasing

LBCS - 2333 - Recreational goods rental - *Only the following are permitted:*

- Bicycle rental
- Exercise equipment rental
- Sports equipment rental

LBCS - 2335 - Consumer goods, rental - *Only the following are permitted:*

- Bridal wear rental
- Costume rental
- Formal wear rental
- Musical instrument rental

LBCS - 2411 - Legal services

LBCS - 2412 - Accounting, tax, bookkeeping, payroll services

LBCS - 2413 - Architectural, engineering, and related services - *Only the following are permitted:*

- Architects' (except landscape) offices
- Architects' (except landscape) private practices
- Architects' offices, landscape
- Architects' private practices, landscape
- Blueprint drafting services
- Building architectural design services
- Building inspection bureaus
- Civil engineering services
- Consulting engineers' offices
- Drafting services
- Electrical engineering services
- Engineering design services
- Engineers' private practices

- Geographic information system (GIS) base mapping services
- Golf course design Landscape architects' private practices
- Landscape design services
- Topographic mapping services
- Town planning services
- Urban Planning services

LBCS - 2414 - Graphic, industrial, interior design

LBCS - 2415 - Consulting services (management, environmental, etc.) - *Only the following are permitted:*

- Business management consulting services
- CAD (computer-aided design) systems integration design services
- CAE (computer-aided engineering) systems integration design services
- CAM (computer-aided manufacturing) systems integration design services
- Compensation consulting services
- Compensation planning services
- Computer disaster recovery services
- Computer program or software development, custom
- Computer programming services, custom
- Computer software analysis and design services, custom
- Computer software programming services, custom
- Computer software support services, custom
- Computer systems facilities (i.e., client facilities) management and operation services
- Computer systems integration analysis and design services
- Computer system integration design consulting services
- Computer system integrator services
- Customer service management consulting services
- Facilities (i.e., clients' facilities) management and operation services, computer systems or data processing
- Network systems integration design services, computer
- Programming services, custom computer
- WEB (i.e., internet) page design services, custom

LBCS - 2417 - Advertising, media, and photography services - *Only the following are permitted:*

- Photography services, commercial
- Photography services, portrait (e.g., still, video)
- School photography (i.e., portrait photography) services
- Sign language services
- Sign lettering and painting services
- Speech (i.e., language) interpretation services
- Videotaping services, special events (e.g., birthdays, weddings)
- Wedding photography services

LBCS - 2418 - Veterinary Services

- Veterinarian's offices
- Veterinary clinics
- Animal hospital

LBCS - 2421 - Office and administrative services - *Except the following:*

- Mail presorting services

LBCS - 2423 - Employment Agency

LBCS - 2424 - Business support services

LBCS - 2430 - Travel arrangement and reservation services

LBCS - 2440 - Investigation and security services - *Except the following:*

- Armored car services
- Guard dog services

LBCS - 2510 - Full-service restaurant

LBCS - 2520 - Cafeteria or limited services restaurant

LBCS - 2530 - Snack or nonalcoholic bar

LBCS - 2540 - Bar or drinking place

LBCS - 2560 - Caterer

LBCS - 2600 - Personal services - *Except the following:*

- Apron supply services
- Automobile parking garages or lots
- Bail bonding services
- Baths, steam, or Turkish
- Blood pressure testing machine concession operators, coin-operated
- Bondsperson services
- Cleaning and dyeing plants (except rug cleaning plants)
- Coat (e.g. barber's, beautician's, doctor's, nurse's) supply services
- Cooperative hospital laundries (i.e. supply services)
- Dating services
- Discount buying services
- Drycleaning plants (except rug cleaning plants)
- Dust control textile item (e.g. cloths, mats, mops, rugs, shop towels) supply services
- Escort services, social
- Flame resistant clothing supply services
- Industrial launderers
- Industrial uniform supply services
- Introduction services, social
- Launderers, industrial
- Laundries, linen and uniform supply
- Laundry services, industrial
- Massage parlor, sensual or adult massage
- Mat and rug supply services
- Pillow cleaning services
- Power laundries, commercial and family
- Radiation protection garment supply services
- Saunas
- Social escort services
- Steam baths
- Table linen supply services
- Towel (except shop, wiping) supply services
- Towel supply services, shop or wiping
- Turkish bathhouse
- Turkish baths
- Uniform (except industrial) supply services
- Uniform supply services, industrial

LBCS - 2710 - Pet or pet supply services

LBCS - 2720 - Animal and pet services - *Only the following are permitted:*

- Animal grooming services
- Obedience training
- Pet sitting services

LBCS - 3110 - Food and beverages - *Only the following are permitted:*

- Bakery products, fresh (i.e., bread, cakes, doughnuts, pastries) made in commercial bakeries
- Candy stores, chocolate, candy made on premises not for immediate consumption
- Doughnuts (except frozen) made in commercial bakeries (only for immediate sale)

LBCS - 3220 - Paper and printing materials - *Only the following are permitted:*

- Instant printing (i.e., quick printing)
- Print shops, lithographic (offset) (except grey goods, manifold business forms, printing books, quick printing)
- Print shops, quick
- Print shops, screen
- Printing manifold business forms

LBCS - 4170 - Postal services

LBCS - 4241 - Online information services

LBCS - 4242 - Libraries and archives

LBCS - 4243 - News syndicate

LBCS - 5110 - Theater, dance, or music establishment

LBCS - 5120 - Sports team or club

LBCS - 5140 - Promoter of performing arts, sports, and similar events

LBCS - 5150 - Agent for management services

LBCS - 5160 - Independent artist, writer, or performer

LBCS - 5210 - Museum

LBCS - 5220 - Historical or archeological institution

LBCS - 5330 - Casino or gambling establishment

LBCS - 5370 - Fitness, recreational sports, gym, or athletic club,

LBCS - 5380 - Bowling, billiards, pool, etc.

LBCS - 6100 - Educational services

LBCS - 6110 - Nursery and preschool

LBCS - 6120 - Grade schools

LBCS - 6121 - Elementary

LBCS - 6122 - Middle

LBCS - 6123 - Senior

LBCS - 6124 - Continuance

LBCS - 6125 - Alternate education services

LBCS - 6130 - Colleges and Universities

LBCS - 6140 – Technical, trade, and other specialty schools

LBCS - 6141 - Beauty schools

LBCS - 6142 - Business management

LBCS - 6143 - Computer training

LBCS - 6145 - Fine and performing arts education

LBCS - 6147 - Sports and recreation education

LBCS - 6430 - Emergency response

LBCS - 6511 - Clinics - *Except the following:*

➤ Pain therapy centers and clinics, outpatient
LBCS - 6512 - Family Planning and outpatient care centers, except the following:
➤ Abortion clinic
➤ Alcoholism treatment centers and clinics (except hospitals), outpatient
➤ Birth control clinics
➤ Detoxification centers and clinics (except hospitals), outpatient
➤ Drug addiction treatment centers and clinics (except hospitals), outpatient
➤ Outpatient treatment centers and clinics (except hospitals) for substance abuse including alcoholism, drug addiction
➤ Outpatient treatment centers and clinics for alcoholism
➤ Outpatient treatment centers and clinics for drug addiction
➤ Substance abuse treatment centers and clinics (except hospitals), outpatient
LBCS - 6520 - Nursing, supervision, and other rehabilitative services
LBCS - 6562 - Child day care
LBCS - 6566 - Services for elderly and disabled
LBCS - 6567 - Veterans affairs
LBCS - 6800 - Associations, nonprofit organizations, etc.
LBCS - 6810 - Labor and political organizations
LBCS - 6820 - Business associations and professional membership organizations
LBCS - 6830 - Civic, social, and fraternal organizations
LBCS - 7120 - Land development and subdivision
LBCS - 7310 - Carpentry, floor, tile contractor
LBCS - 7330 - Electrical contractor
LBCS - 7340 - Glass and glazing contractor
LBCS - 7350 - Masonry and drywall contractors
LBCS - 7360 - Painting and wall covering
LBCS - 7370 - Plumbing, heating, and air-conditioning

Sec. 75-50 Pedestrian Access

Walkways shall be located and aligned to directly and continuously connect areas of pedestrian origin and destination, and not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access.

Walkways shall be grade separated from parking lots, with a hard surface not less than five (5) feet in width.

For safety, the following methods shall be used to separate pedestrians from vehicles and bicycles. Where complete separation is not possible, potential hazards shall be minimized by the use of such techniques as:

- A. Special surface materials.
- B. Grade separations.
- C. Physical pavement markings.
- D. Texture surfaces.
- E. Signs.
- F. Striping.
- G. Bollards.
- H. Median refuge areas.

- I. Traffic calming features.
- J. Landscaping.
- K. Lighting.
- L. Other means approved by the Plan Commission as recommended by the Technical Review Committee.

Sec. 75-60 Site Amenities and Aesthetics

Site amenities shall be provided to assure an aesthetically pleasing development. The proper selection of the site and pedestrian amenities are important factors in the planning and design of development in order to add a sense of place; be aesthetically pleasing; increase real estate value, interest, and character; and improve the functional use of the site and the Eastern Boulevard Corridor.

Site and pedestrian amenities shall be designed as integral parts of the entire development and the site's landscape and design concept. The highest quality materials shall be used and shall include at least three (3) of the following features:

- A. Mounds and berms.
- B. Use of aesthetically pleasing drainage ways and water retention basins.
- C. Swales used as a landscape element.
- D. Water features such as fountains, pools, and ponds.
- E. Walls and terraces.
- F. Meandering walks.
- G. Patios.
- H. Street furniture, including lighting, shading elements, and similar pedestrian amenities.
- I. Boulders and brick or stone pavers.
- J. Arbors and trellises.
- K. Landscape clusters and features.
- L. Site sculptures.

Sec. 75-70 EBCZ Development Regulations**A. Privacy Considerations**

Elements of the development plan shall be arranged to maximize the opportunity for privacy by any residents of the project and minimize infringement on the privacy of adjoining land uses. The development plan shall create opportunities for interactions among neighbors without sacrificing privacy or security.

B. Building and Project Compatibility

The purpose of building and project compatibility is to ensure the physical and operational characteristics of proposed buildings and uses in a development are compatible when considered within the context of the surrounding area.

C. Compatible Design of Building

Design shall be compatible with existing buildings, and shall use similar proportions, building materials, outdoor spaces, relationships to the street, and window and door patterns as those existing buildings.

D. Building Appearance and Architectural Character

New development or redevelopment, in or adjacent to existing developed areas, shall be compatible with the established appearance by using a design that is complementary. Compatibility shall be achieved through repetition of roof lines, type and use of materials, and building articulations. However, monotony of structures shall be avoided, and the proposed development or redevelopment shall meet the requirements of this section.

E. Windows

1. Mirror glass with a reflectivity or opacity of greater than sixty percent (60%) is prohibited.
2. Solar glass is prohibited.
3. Glass shall not be of a UV or tint to preclude visibility by day or night. Tinting of windows shall be in compliance with the color scheme as stated herein.
4. Windows shall be of a non-mirrored finish.
5. Windows shall be individually defined with detail elements such as frames, sills, and lintels; be placed, to visually establish and define buildings and multiple store, or shop within a single building and establish human scale and proportion.

F. Building Size, Height, Bulk, Mass, Scale

1. Buildings shall either be similar in size and height, or if larger, be articulated and subdivided into massing that is proportional to the mass and scale of other structures on the same block; or if no buildings exist thereon, then on adjoining blocks.
2. In the case of development plans in areas eligible for the national registry as a historic district, new buildings shall reflect the historic character of the neighborhood through repetition of rooflines, patterns of the door and window placement, and the use of characteristic entry features.
3. Fixed or retractable awnings are permitted if they meet the follow guidelines:
 - a. Complement of building's architectural style, colors, and detail.
 - b. Do not conceal architectural features such as cornices, columns, pilasters, or decorative details.
 - c. Are designed as an integral part of the façade.
 - d. Metal or aluminum awnings are prohibited.

G. Building Orientation

To the maximum extent feasible, primary facades and entries shall face the adjacent street. A main entrance shall face a connecting walkway with direct pedestrian connection to the street, without requiring all pedestrians to walk through parking spaces and parking lots, or to cross driveways.

H. Pedestrian Scale

Pedestrian scale detailing shall be incorporated into the front elevation of the building at the ground level. Because the buildings are viewed very close up, all buildings shall exhibit façade and articulated detail that is scaled to the pedestrian.

I. Building Materials

To assure quality materials and aesthetic appearance, the following building materials shall be used:

1. At least seventy percent (70%) of the exterior building materials shall be brick or stone. Subordinate materials, up to thirty percent (30%), may include wood framing, permanently stained split faced textured block, and exterior insulation finish systems. Other materials may be approved by the Plan Commission, if recommended by the Technical Review Committee.
2. Exterior materials shall not include smooth faced concrete block, painted or stained concrete block, or prefabricated steel panels.
3. In the case of development within or adjacent to an existing development, materials shall have color shades and textures similar or complimentary to those existing developments, and in the immediate area of the proposed development. However, predominate materials shall be brick or stone.
4. New developments that are not adjacent to or within an existing development shall establish overall integrated design and materials.
5. Facades and exterior building walls exceeding twenty-five (25) linear feet shall incorporate architectural articulations, wall plane projections, or recesses having a depth of at least three percent (3%) of the length of the exterior façade or wall.
6. Street level facades fronting on a street shall have display windows, intrigue areas, awnings, or other such features along no less than twenty percent (25%) of the horizontal length of the ground floor façade.

- 7. Building materials shall not create glare. If highly reflective building materials are proposed, such as aluminum, unpainted metal and reflective glass, the potential for glare from such materials will be evaluated to determine whether or not the glare would create a significant adverse impact on the adjacent property owners, neighborhood, or community in terms of pedestrian and vehicular safety, outdoor activities, and enjoyment of views. If so, such materials shall not be permitted.

J. Building Color

- 1. Color shades and tones shall be used to facilitate appearance, aesthetics, and to contribute to the blending of the development into the neighborhood, as well as unifying the development itself.
- 2. A new development of a single structure, or multiple structures, may establish its own integrated color scheme utilizing the following ranges shown in Table 75-2, Suggested Colors.:

Table 75-2 Suggested Colors					
<i>Colors</i>					
1.	#467pc	C=20	M=32	Y=58	K=0
2.	#4645pc	C=0	M=37	Y=68	K=28
3.	#7407pc	C=0	M=22	Y=85	K=11
4.	#478pc	C=40	M=86	Y=100	K=30
5.	#463pc	C=30	M=56	Y=100	K=37
<i>Contrasting Colors</i>					
1.	No color/pure white				
2.	K=100 process black				

- 3. Colors shall reflect the character of the EBCZ. Neutral and natural colors should comprise ninety percent (90%) of the façade with secondary contrasting accent colors making up the remaining ten percent (10%). Primary, bright, bold, or excessively brilliant colors should be avoided unless used sparingly as part of the secondary contrasting colors.

Sec. 75-80 Prototype Buildings

Standardized structures, recognized as a prototype of a chain of establishments, shall be customized, as necessary, to express and enhance the distinctive character of the EBCZ. Forms and finish materials of buildings, signs, canopies, refuse enclosures, and accessory structures shall be compatible with the style and character of the EBCZ.

Sec. 75-90 Architectural Articulations

Building façades shall incorporate at least four of the following:

- A. Offsets.
- B. Material change.
- C. Texture change.
- D. Architectural change, e.g. columns, canopies, arbors, trellis.
- E. Structural elements such as projecting ribs or offset element.
- A. Other elements approved by the Plan Commission on the recommendation of the Technical Review Committee.

Sec. 75-100 Land Use Transition

When land uses with significantly different visual character are proposed adjacent to each other, and where gradual transitions are not possible or in the best interest of the community, the development plan shall, to the maximum extent feasible, achieve

compatibility through compliance with the scale, form, materials, colors, and operational standards, including limits on hours of operation, lighting, placement of noise-generating activities, and similar restrictions.

Sec. 75-110 Outdoor Display/Storage Areas

Minor displays of merchandise shall be placed outdoors, provided such meet the following:

4. Outdoor displays shall not exceed one hundred fifty (150) square feet in total area.
5. The outdoor display is located immediately adjacent to the primary structure, but not within the required minimum front yard.
6. The outdoor display is maintained in an orderly manner; clean and free of litter, trash, and debris.
7. Shall not be located on any public street or public sidewalk.

Outdoor storage is prohibited unless shielded by a six (6) feet opaque fence and located within the rear yard. Any outdoor storage may not be located within twenty (20) feet of any public street, public sidewalk, or internal pedestrian way.

Sec. 75-120 Mechanical Equipment

Loading docks, truck parking, utility meters, HVAC and other mechanical equipment, trash collection, trash compaction and other service functions shall be incorporated and integrated into the overall design or development so that the appearance is integrated and continuous and uninterrupted by ladders, towers, fences, and equipment, and no attention is attracted to the functions by use of screening materials that are different from or inferior to the principal material of the building and landscape.

Sec. 75-130 Operational/Physical Compatibility Standards

Upon the approval of a development application, the following conditions may be imposed to ensure that new development will be compatible with existing neighborhoods and uses, including, but not limited to restrictions on:

- A. Hours of operation and deliveries.
- B. Location of activities onsite that generate potential adverse impacts on adjacent uses, such as noise and glare.
- C. Arrangement of buildings.
- D. Location of loading and delivery zones.
- E. Light intensity, shielding, and hours of full illumination.
- F. Location and placement of pedestrian amenity areas.
- G. Placement and illumination of outdoor vending machines and areas.

Sec. 75-140 Building Permits

The Building Commissioner shall not issue a building permit for a MED development until the Planning Department has approved the plans.

Sec. 75-150 Landscaping

See Division 180 - Landscape Regulations

Sec. 75-160 Lighting

Lighting shall meet the requirements of this section or Division 190 – Lighting Regulations; in case of conflict, the stricter of two ordinances shall apply. Street lighting shall be provided as part of all developments on both sides of the street when possible, and spaced no less than one hundred (100) feet apart, and a fixture that is standard for the utility company serving the area, unless otherwise approved by the Technical Review Committee. Lighting shall meet the following:

- A. Exterior lighting of the building or site shall be designed so that the light is directed on the site and the light source is shielded from direct offsite viewing. For any use abutting single-family, residential uses, illumination levels shall not exceed 0.5 foot candles at the property line.
- B. Exterior lighting shall be architecturally integrated with the building style, material, and color.
- C. Rooftop lighting is prohibited.
- D. All exterior architectural features, display, and decorative lighting shall be generated from concealed low level fixtures and shown on the lighting plan.
- E. The maximum height of light standards in king areas shall not exceed the building height, or twenty five (25) feet, whichever is less. When light standards abut or fall within ninety (90) feet of single-family residential uses or districts, their height shall not exceed fifteen (15) feet.

Sec. 75-170 Signs

See Division 200 – Sign Regulations

Sec. 75-180 Parking Loading

See Division 195 – Off-Street Parking Regulations

Sec. 75-190 Assess Management Plan

See Division 155- Access Management Plan

EASTERN BLVD. GATEWAY SPORTS COMPLEX OFFERING SHEET

The Clarksville Redevelopment Commission has established an annual lease rate for the subject properties at \$116,130.00. This is based upon a standard triple-net lease not exceeding 30 years in term.

342 Eastern Blvd:

Parcel #: 10-14-00-800-046.000-012

Area: 1.8 +/- Acres

420 Eastern Blvd:

Parcel #: 10-14-00-800-045.000-012

Area: 1 +/- Acres

441 Auburn Ave:

Parcel #: 10-14-00-800-038.000-012

Area: 1.3 +/- Acre

342 Eastern Blvd., 420 Eastern Blvd., and 441 Auburn Ave.



Questions and inquiries should be directed to the following individual.

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