

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE,
A PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA**

This Ordinance (the “Ordinance 70-09-16 – Cranbrook PD Ordinance Amendment” or the “Cranbrook PD 2023 Amendment”) amends the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, (the “UDO”) enacted by the City of Noblesville, Indiana (the “City”) under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Plan Commission has sent a _____ Recommendation for adoption of said amendment with a vote of () in favor and () opposed to the Common Council;

Section 1. Applicability of Ordinance.

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provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Underlying District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance (collectively, the “Governing Standards”).

- C. All provisions and representations of the UDO that conflict with the provisions of this Cranbrook PD Ordinance (Ordinance 70-09-16) and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Cranbrook PD 2023 Amendment.

Section 2. Permitted Uses.

- A. All uses permitted in the Underlying District shall be permitted within the District; however, the maximum number of Dwelling Units shall not exceed forty-eight (48).
- B. Accessory Uses and Accessory Structures customarily incidental to any permitted use shall be permitted.

Section 3. Preliminary Development Plan.

- A. Full sized, scaled development plans are on file with the City’s Planning and Development Department with a revision date of October 31, 2023. What is attached hereto as Exhibit B is a general representation of the full sized plans and Exhibit B, together with the full sized plans, shall be collectively referred to as the “Preliminary Development Plan”. The minimum size of the District shall be 4.9 acres.
- B. The Preliminary Development Plan is hereby incorporated herein and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.

Section 4. Bulk Standards. The bulk requirements applicable to the Underlying District shall be modified and superseded by the below:

- A. Bulk Requirements Table:

Requirements	Standards
Minimum Lot Area per Dwelling Unit	1,400 sq. ft./unit
Minimum Lot Width	20 ft. per dwelling unit
Maximum Building Height	37 ft.
Minimum Front Yard Setback	10 ft. Minimum
Minimum Side Yard Setback	15 ft. building separation
Minimum Rear Yard Setback	20 ft. as measured from back of Alley curb
Floor Area Ratio shall not exceed:	Not applicable
Minimum Floor Area (per dwelling unit)	1,400 sq. ft.
Maximum Lot Coverage	Not applicable

- B. Lot Area may include a portion of an alley easement.
- C. As illustrated on the Preliminary Development Plan some lots do not front on a public right of way. In this case, the front lot line shall be opposite and parallel to the alley and the rear lot line shall be in the center of the alley the alley.
- D. Corner Lot standards of the UDO shall not apply to townhome dwellings.

Section 5. Architectural Standards. The following standards shall apply:

- A. The approved elevations shall be the set of home elevations on file with the City's Planning and Development Department as submitted on October 2, 2023, as reviewed and approved by the City's Architectural Review Board at its October 18, 2023 meeting (the "Approved Elevations"). Color Illustrations of the Approved Elevations are included under Exhibit D of this Cranbrook PD 2023 Amendment Ordinance.
- B. The Approved Elevations are hereby incorporated and approved. All townhome dwellings shall be substantially consistent with the Approved Elevations. The Director of Planning and Development, including his or her designees, shall review and approve home elevations at the time of filing of the Detailed Development Plan and/or Building Permit for compliance and consistency with the Approved Elevations.
- C. The elevations of any townhome dwelling that substantially varies from an Approved Elevation shall be submitted for review and approval by the Director of Planning and Development if in Compliance with the Architectural Standards hereby incorporated under Exhibit C or require approval by the Architectural Review Board if not found in compliance with the standards included in Exhibit C. The Architectural Review Board's review of said home elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the District and the Approved Elevations.

Section 6. Landscaping and Open Space Standards. The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as modified below:

- A. Lot Landscaping. All Lots shall be landscaped in accordance with the Architectural Review Board Standards (adopted on August 16, 2007) for Lots less than 50' in width, except as modified below:
 - 1. Front yard landscaping: Shade Trees and/or Street Trees may be substituted for the required Ornamental Tree, and shall be placed in the adjacent Common Area or Right-of-Way within the limits of the extended Side Lot Line where no proximity restrictions apply. A total of forty-eight (48) Shrubs for a 6-unit building and forty (40) Shrubs per 5-unit building placed with no less than 6 Shrubs per lot shall be required.

2. Rear yard landscaping: No trees will be required due to proximity restrictions (i.e. driveways, utilities, etc.)
 3. Additional landscaping has been added to the side elevation of specific dwelling elevations as shown on the Preliminary Development Plan.
- B. Landscape Buffer Yards. Landscape Buffer Yards shall be provided as shown on the Preliminary Development Plan.
1. The Establishment of a Peripheral Yard, as set forth in Article 8, Part H, Section 3.F.2 of the UDO, shall apply as shown on the Preliminary Development Plan including width, area, tree preservation and required plant material.
 2. No buffer yards shall be required between the District and Uses internal to the Cranbrook District.
- C. Open Space. Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.
- D. Article 6.I of the UDO shall apply except that existing trees with proximity to stormwater infrastructure as shown on the Preliminary Development Plan may be removed to accommodate said infrastructure and necessary grading.

Section 7. Parking and Loading Standards. The standards of Article 10, Off-Street Parking and Loading, of the UDO shall apply.

Section 8. Lighting Standards. The standards of Article 13, Environmental Performance Standards, of the UDO, shall apply, except as modified below:

- A. Street lights shall be required at the intersections of the new alleys and Castamere Drive by either relocating existing lights or installing new lights. Street name signs and brackets may be installed on street light posts.
- B. Light fixtures shall be required (i) between garage doors and (ii) adjacent to each front door. Photocell control shall be required for lights between garage doors.

Section 9. Sign Standards. The District's signs shall comply with Article 11 of the UDO shall apply, except as modified below:

- A. The maximum ground sign height for the neighborhood sign shall be ten (10) feet and the area above six (6) feet shall permit sign copy as depicted in Exhibit E.

Section 10. Infrastructure Standards. Unless otherwise stated within this Ordinance or on the Preliminary Development Plan, all public infrastructure within the District shall adhere to the City's standards and design criteria, subject to the following specific waivers that are hereby approved:

- A. The maximum block length shall be as shown on the Preliminary Development Plan.
- B. The subdivision (platting) of lots on a private easement (alley - without street frontage) shall be permitted.
- C. Subdivision Entrance / Turn Lane Standard shall not be required where Alleys connect to Castamere Drive.
- D. No sidewalks shall be required along alleys.
- E. The typical section for alleys is detailed on the Preliminary Development Plan and shall use the Local (Residential) pavement section per the City of Noblesville Construction Standards.
- F. Utility easements shall be a minimum of ten (10) feet wide.

Section 11. Detailed Development Plan. Approval of a Detailed Development Plan (“DDP”) shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning and Zoning shall approve Minor Changes; and (ii) if a DDP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DDP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DDP.

Section 12. Effective Date. This Cranbrook PD 2023 Amendment Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

[The remainder of this page intentionally left blank; signature page follows.]

Approved on this _____ day of _____, 2023 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Daniel Spartz		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Megan G. Wiles		

ATTEST: _____
Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this _____ day of _____, 2023 at _____ .M.

Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law:

Jon C. Dobosiewicz
Printed Name of Declarant

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106.

Westbrook PD Ordinance 4 111423

EXHIBIT A

Legal Description (Page 1 of 2)

ADD. PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE NORTH 00 DEGREES 18 MINUTES 42 SECONDS EAST ALONG SAID SECTION LINE 551.53 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 18 SECONDS WEST TO THE POINT OF BEGINNING OF THIS TRACT OF LAND, ALSO A POINT ON THE LINE OF RIGHT OF WAY GRANT FOR PIPE LINES IN FAVOR OF PANHANDLE EASTERN PIPE RECORDED AS BOOK 112, PAGE 110 IN THE OFFICE OF THE RECORDED IN HAMILTON COUNTY, INDIANA, THE FOLLOWING FIVE (5) COURSES ARE ON AND ALONG SAID LINE; 1) THENCE NORTH 47 DEGREES 33 MINUTES 42 SECONDS EAST 190.18 FEET; 2) THENCE NORTH 86 DEGREES 08 MINUTES 42 SECONDS EAST 84.74 FEET; 3) THENCE NORTH 66 DEGREES 48 MINUTES 42 SECONDS EAST 89.66 FEET; 4) THENCE NORTH 75 DEGREES 06 MINUTES 42 SECONDS EAST 256.60 FEET; 5) THENCE NORTH 78 DEGREES 19 MINUTES 42 SECONDS EAST 214.12 FEET TO A POINT ON THE BOUNDARY OF A PARCEL OF LANDED RECORDED AS INSTRUMENT NUMBER 2012070384 IN THE OFFICE OF THE RECORDED IN HAMILTON COUNTY, INDIANA, THE FOLLOWING TWO (2) COURSES ARE ON AND ALONG SAID PARCEL OF LAND; 1) THENCE SOUTH 60 DEGREES 59 MINUTES 45 SECONDS EAST 9.17 FEET; 2) THENCE NORTH 89 DEGREES 37 MINUTES 46 SECONDS EAST 62.62 FEET TO A POINT ON THE SOUTH LINE OF THE FRED HINES LEGAL DRAIN RECORDED AS INSTRUMENT NUMBER _____ IN THE OFFICE OF THE RECORDED IN HAMILTON COUNTY, INDIANA; THENCE SOUTH 51 DEGREES 45 MINUTES 05 SECONDS EAST 189.87 FEET TO A POINT ON THE BOUNDARY OF RIGHT OF WAY GRANT FOR PIPE LINES IN FAVOR OF PANHANDLE EASTERN PIPE RECORDED AS BOOK 112, PAGE 110 IN THE OFFICE OF THE RECORDED IN HAMILTON COUNTY, INDIANA SOUTH 47 DEGREES 27 MINUTES 42 SECONDS WEST 328.84 FEET TO A POINT ON A NON TANGENT CURVE TO RIGHT HAVING A RADIUS OF 177 FEET, AND A POINT ON THE BOUNDARY OF CRANBROOK SECTION 1 RECORDED AS INSTRUMENT NUMBER 2018023787 IN THE OFFICE OF THE RECORDED OF HAMILTON COUNTY, INDIANA, THE FOLLOWING FOUR (4) COURSES ARE ON AND ALONG SAID BOUNDARY; 1) THE RADIUS POINT OF WHICH BEARS SOUTH 24 DEGREES 33 MINUTES 17 SECONDS WEST 177 FEET, THENCE ALONG SAID CURVE AN ARC DISTANCE OF 74.90 FEET TO A RADIUS POINT IN WHICH BEARS SOUTH 00 DEGREES 18 MINUTES 31 SECONDS WEST 177 FEET; 2) THENCE NORTH 89 DEGREES 41 MINUTES 29 SECONDS WEST 530.10 FEET; 3) THENCE SOUTH 77 DEGREES 31 MINUTES 00 SECONDS WEST 88.58 FEET; 4) THENCE NORTH 63 DEGREES 08 MINUTES 09 SECONDS WEST 33.22 FEET; THENCE NORTH 28 DEGREES 14 MINUTES 27 SECONDS WEST 39.02 FEET; THENCE NORTH 17 DEGREES 42 MINUTES 41 SECONDS WEST 17.03 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 4.91 ACRES, MORE OR LESS.

EXHIBIT A

Depiction of Legal Description
(Page 2 of 2)



EXHIBIT B

(PRELIMINARY DEVELOPMENT PLAN)



- See following 15 pages

EXHIBIT C

ARCHITECTURAL STANDARDS

(Page 1 of 1)

Architectural Feature	Standard
Corner Breaks (minimum)	4 per building
Front Façade Masonry (minimum)	100% excluding doors, windows and roof
Secondary Façade Masonry (minimum)	1-story excluding doors and windows
Prohibited Siding Materials	Vinyl and Aluminum
Roof Pitch (minimum)	4:12
Roof Overhang (minimum inches measured from framing)	12"
Number of Windows – Primary Façade (minimum)	18 per building
Number of Windows – Secondary Façade (minimum)	3 per building

EXHIBIT D

DWELLING CHARACTER EXHIBITS

(See following 6 pages)

EXHIBIT E

(Entry Monument Sign)

