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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented


ORDINANCE NO. 55-10-15

**AN ORDINANCE TO AMEND AN APPROVED PLANNED DEVELOPMENT
ORDINANCE NO. 27-08-13, UNDER THE PROVISIONS OF THE UNIFIED
DEVELOPMENT ORDINANCE, PART OF THE COMPREHENSIVE DEVELOPMENT
PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

Document Cross Reference No. 2015-47728

This Ordinance (the "The Terry Lee Crossing amended PD Ordinance") amends Ordinance No. 27-08-13, (the "Terry Lee Crossing PD Ordinance"), and the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, (the "UDO") enacted by the City of Noblesville under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on docket number LEGP-002154-2015 at its October 19, 2015, meeting as required by law in regard to the application (the "Petition") filed by Terry Lee Crossing, LLC (the "Developer") concerning a change of zoning of certain property described in Exhibit A-2 attached hereto (the "Real Estate") and the adoption of a preliminary development plan to be known, collectively with attached Exhibits, as "The Terry Lee Crossing amended Preliminary Development Plan" identified in Section 3 below (the "Plan"); and,

WHEREAS, the Plan Commission has sent a favorable recommendation for adoption of said amendment with a vote of ten (10) ayes and zero (0) nays to the Common Council.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map, are hereby amended as follows:

Section 1. Applicability of Ordinance.

- A. The Official Zone Map of the City of Noblesville, a part of the Unified Development Ordinance, is hereby amended to change the zoning on the parcel legally described in Exhibit A-2 from "PB" Planned Business to "PB/PD" Planned Business/Planned Development as designated in said Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana
- B. Text amendments to the original Terry Lee Crossing PD Ordinance, contained herein, shall apply to the real estate described in said ordinance, also described in Exhibit A-1 herein, as well as to the real estate described in Exhibit A-2.
- C. All provisions and representations of the UDO that conflict with the provisions of this The Terry Lee Crossing amended PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and are superseded by the terms of this The Terry Lee Crossing amended PD Ordinance.

Section 2. In accordance with the provisions of this ordinance, the Official Zoning Map referred to in Article 7 of said "UDO" shall be updated concurrently to reflect the changes referred to in Section 1.A. above. A copy of the Official Zoning Map shall be located in the Office of the Clerk-Treasurer of the City of Noblesville.

Section 3. Preliminary Development Plan. The Plan, attached hereto as Exhibits B-1 through B-6, is hereby adopted as part of this Terry Lee Crossing amended PD Ordinance.

Section 4. Landscaping and Screening. Exhibit D of Ordinance No. 27-08-13, the "Terry Lee Crossing PD Ordinance", is hereby amended to add a new subsection as follows:

"D.5 Landscape Mulch Material.
Mulch shall be a natural color and material, including shredded hardwood and decorative stone mulches. In areas where stone mulch is used, plants shall be irrigated and a non-woven geotextile fabric shall be placed under the aggregate mulch."

Section 5. Effect Of Approval. All other provisions of the Terry Lee Crossing PD Ordinance shall remain in effect with the adoption of this ordinance.

Section 6. The aforesaid changes are subject to the submission to the City Of Noblesville a Letter Of Map Revision from the Federal Emergency Management Agency (FEMA) prior to the issuance of a Final Certificate of Occupancy for any and all buildings or structures on said real estate and located in the "FH" Flood Hazard district.




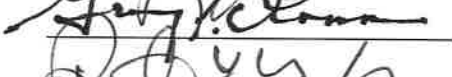



Section 7. This, The Terry Lee Crossing amended PD Ordinance, shall be in full force and effect from and upon its adoption and publication in accordance with the law.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 10th day of November, 2015.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

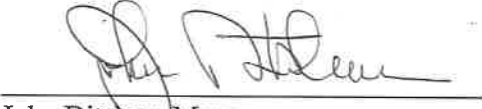
NAY

	Brian Ayer	<hr/>
	Mark Boice	<hr/>
	Roy Johnson	<hr/>
	Gregory P. O'Conner	<hr/>
	Rick L. Taylor	<hr/>
	Stephen C. Wood	<hr/>
	Jeff Zeckel	<hr/>

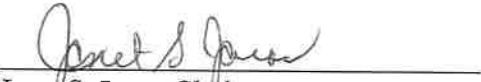
Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 10th day of Nov, 2015.

PREPARED BY:




John Ditslear, Mayor
City of Noblesville, IN

ATTEST:


Janet S. Jaros, Clerk-Treasurer

"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law."

(name) Michael A. Howard

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: Andrew E. Wert.

Prepared by: Andrew E. Wert, City of Noblesville, 16 South 10th Street, Suite 150, Noblesville, IN 46060

EXHIBIT A-1

(The original Terry Lee Crossing PD Ordinance legal description)

A part of the Northwest Quarter of Section 5, Township 18 North, Range 5 East and the West Half of the Southwest Quarter of Section 32, Township 19 North, Range 5 East of the Second Principal Meridian in Noblesville Township of Hamilton County, Indiana.

Commencing at the Southwest corner of the Southwest Quarter of Section 32, Township 19 North, Range 5 East; thence North 89 degrees 36 minutes 03 seconds East (assumed bearing) along the South line of said Quarter Section 193.38 feet to the Northwest corner of the Northwest Quarter of Section 5, Township 18 North, Range 5 East; thence continue North 89 degrees 36 minutes 03 seconds East along said South line 1139.40 feet to the Southeast corner of said West Half and the point of beginning of the following described real estate: Thence continue along said South line North 89 degrees 36 minutes 03 seconds East a distance of 918.42 feet to the Northwest corner of real estate as contained in Instrument No. 96-30844 as found in the Office of The Recorder of Hamilton County, Indiana; thence South 00 degrees 04 minutes 08 seconds East along the West line of said real estate 1005.25 feet to a point in the centerline of abandoned Central Indiana Railroad; thence South 89 degrees 31 minutes 02 seconds West along said centerline a distance of 2,151.28 feet to a point in the centerline of State Road 37 per I.S.H.C. plans for Project No. 824(1), dated 1954, Sheet 15 therein, said point being on a non-tangent point on a curve concave to the East, having a radius of 3,819.72 feet and a long chord which bears North 08 degrees 57 minutes 26 seconds East 1234.87 feet; thence along said curve to the right an arc distance of 1240.31 feet to the point of tangency thereof; thence North 18 degrees 15 minutes 31 seconds East 473.50 feet to the intersection with State Roads No. 32 & 38 being marked with a brass plug; thence North 88 degrees 50 minutes 58 seconds East along said centerline 612.96 feet to the point of curvature of a curve concave to the South, having a radius of 5694.58 feet and a long chord which bears North 89 degrees 21 minutes 25 seconds East 100.86 feet; thence along said curve to the right an arc distance of 100.86 feet to the Northwest corner of real estate as contained in Instrument No. 98-72645 of said Recorder's Office; thence South 00 degrees 05 minutes 39 seconds West 111.97 feet (record), 114.37 feet (measured) to the point of curvature of a curve concave to the West, having a radius of 301.62 and a long chord which bears South 08 degrees 31 minutes 11 seconds West 88.39 feet; thence along said curve to the right an arc distance of 88.71 feet to the Southwest corner of said real estate thereof; thence South 74 degrees 50 minutes 08 seconds East 85.87 feet to the Southeast corner; thence North 74 degrees 13 minutes 52 seconds East 110.72 feet to the Southeast corner of real estate as contained in Instrument No. 88-04544 and found in said Recorder's Office, said point also being on the East line of the West Half of said Southwest Quarter of Section 32; thence South 00 degrees 08 minutes 19 seconds East along said East line 472.00 feet to the point of beginning. Containing 63.082 acres, more or less (gross) and 57.829 acres (net), less right-of-way.

EXHIBIT A-2

(The Terry Lee Crossing amended PD Ordinance legal description)

A part of the Northwest Quarter of Section 5, Township 18 North, Range 5 located in Noblesville Township of Hamilton County, Indiana.

Commencing at the center of a casting marking the Southwest corner of the Southwest Quarter of Section 32, Township 18 North, Range 5 East; thence North 89 degrees 43 minutes 56 seconds East (assumed bearing) 193.38 feet (Government Record) to the Northwest corner of the Northwest Quarter of Section 5, Township 18 North, Range 5 East; thence North 89 degrees 42 minutes 56 seconds East 2057.82 feet on and along the North line of said Northwest Quarter to a 5/8" iron rod with plastic cap stamped Miller Surveying (said 5/8" iron rod with plastic cap stamped Miller Surveying being North 89 degrees 42 minutes 02 seconds East 2251.20 feet from said casting marking the Southwest corner of Section 32, Township 18 North, Range 5 East), said 5/8" iron rod with plastic cap stamped Miller Surveying also being the POINT OF BEGINNING of this description:

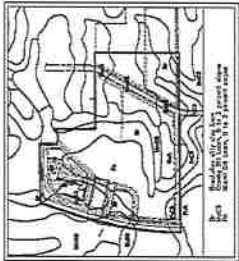
Thence North 89 degrees 42 minutes 56 seconds East 372.00 feet to a 5/8" iron rod with yellow cap stamped Miller Surveying; thence South 00 degrees 03 minutes 45 seconds West 364.52 feet to a 5/8" iron rod with plastic cap stamped Miller Surveying; thence North 89 degrees 29 minutes 10 seconds East 239.10 feet to a 5/8" iron rod with plastic cap stamped Miller Surveying on the East line of said Northeast Quarter; thence on said East line South 00 degrees 03 minutes 45 seconds West 637.78 feet to a 5/8" iron rod with plastic cap stamped Miller Surveying on the centerline of Central Indiana Railroad; thence on said centerline on a curve with a radius of 5729.58 feet and a centerline angle of 1 degrees 53 minutes 56 seconds having a chord bearing South 88 degrees 42 minutes 21 seconds West 189.89 feet to a 5/8" iron rod with plastic cap stamped Miller Surveying; thence South 89 degrees 39 minutes 18 seconds West 421.26 feet to a 5/8" iron rod with plastic cap stamped Miller Surveying; thence North 00 degrees 03 minutes 45 seconds East 1005.25 feet to the POINT OF BEGINNING, containing 12.09 acres, more or less.

EXHIBIT B-1

PRELIMINARY DEVELOPMENT PLANS
FOR
TERRY LEE CROSSING
S.R. 37 & S.R. 32, S.R. 38
NOBLESVILLE, INDIANA



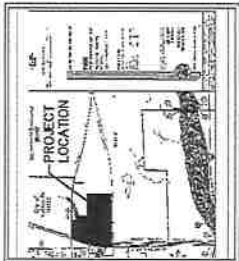
LOCATION MAP
NOT TO SCALE



SOILS MAP
NOT TO SCALE



VICINITY MAP
NOT TO SCALE



FIRM MAP
NOT TO SCALE

INDEX	DESCRIPTION	SHEET No.
TITLE SHEET		C001
EXISTING TOPOGRAPHY		C100
CONCEPTUAL SITE PLAN		C200
PRELIMINARY UTILITY PLAN		C300
PRELIMINARY GRADING/DRAINAGE PLAN		C400
EROSION CONTROL PLAN		C500

PLAN DATE: 08/11/2015

THE INFORMATION CONTAINED HEREIN IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

REVISION	DATE	DESCRIPTION
1	08/11/2015	INITIAL DESIGN
2	08/11/2015	REVISED DESIGN
3	08/11/2015	REVISED DESIGN
4	08/11/2015	REVISED DESIGN
5	08/11/2015	REVISED DESIGN
6	08/11/2015	REVISED DESIGN
7	08/11/2015	REVISED DESIGN
8	08/11/2015	REVISED DESIGN
9	08/11/2015	REVISED DESIGN
10	08/11/2015	REVISED DESIGN

APPROVAL PENDING
NOT FOR CONSTRUCTION

Brady Street, LLC

C001
08/11/2015

EXHIBIT B-2

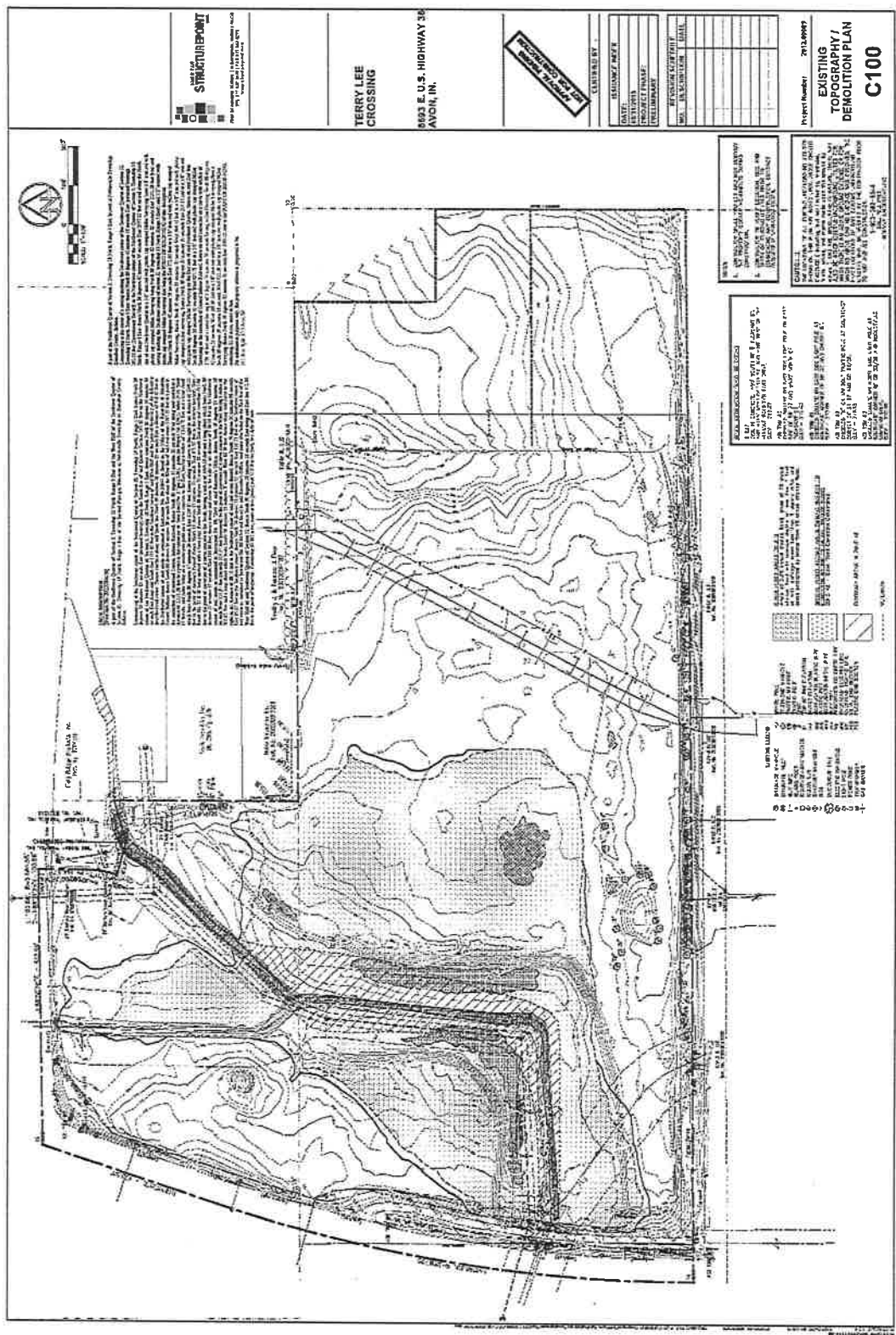


EXHIBIT B-3

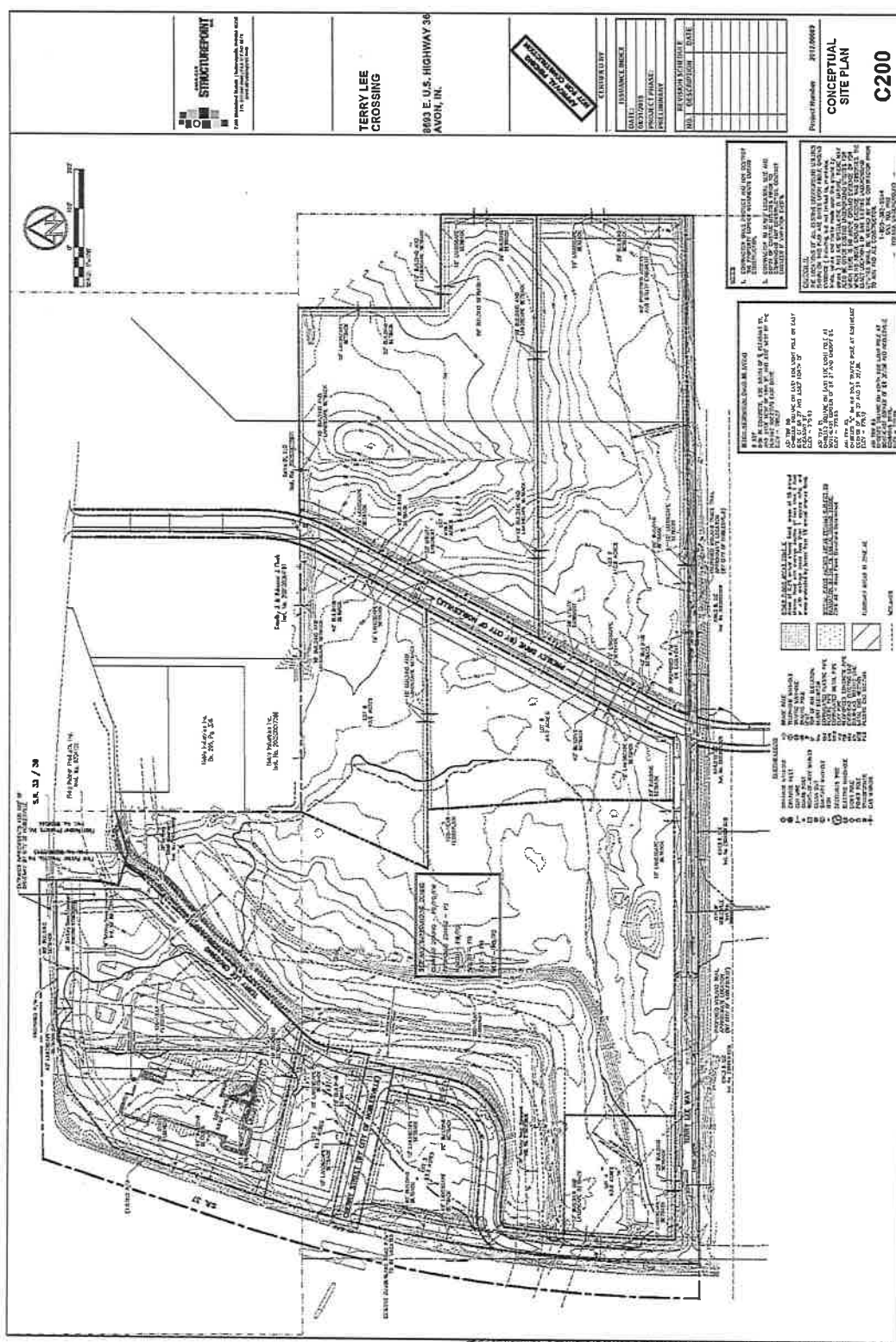


EXHIBIT B-4

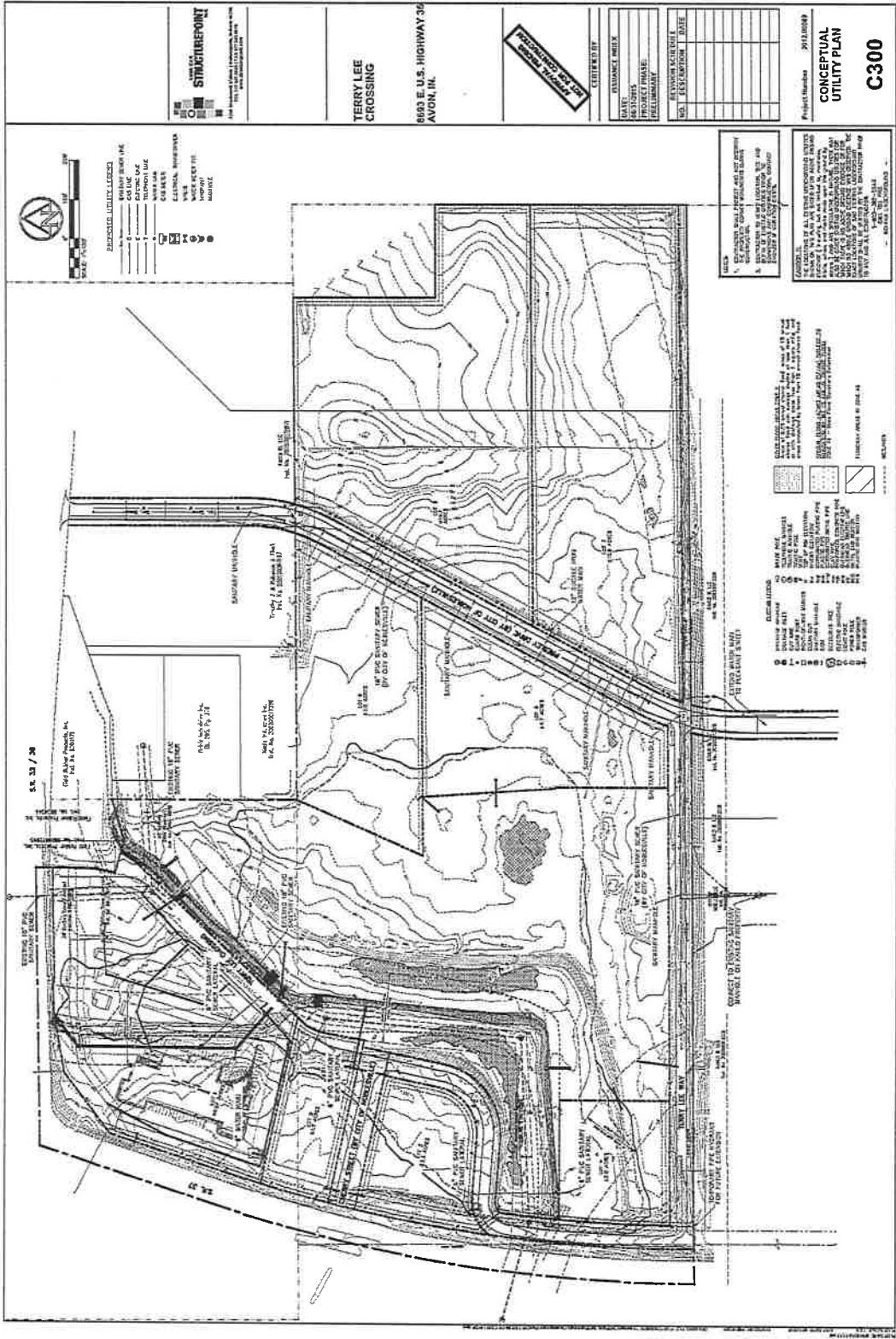


EXHIBIT B-5

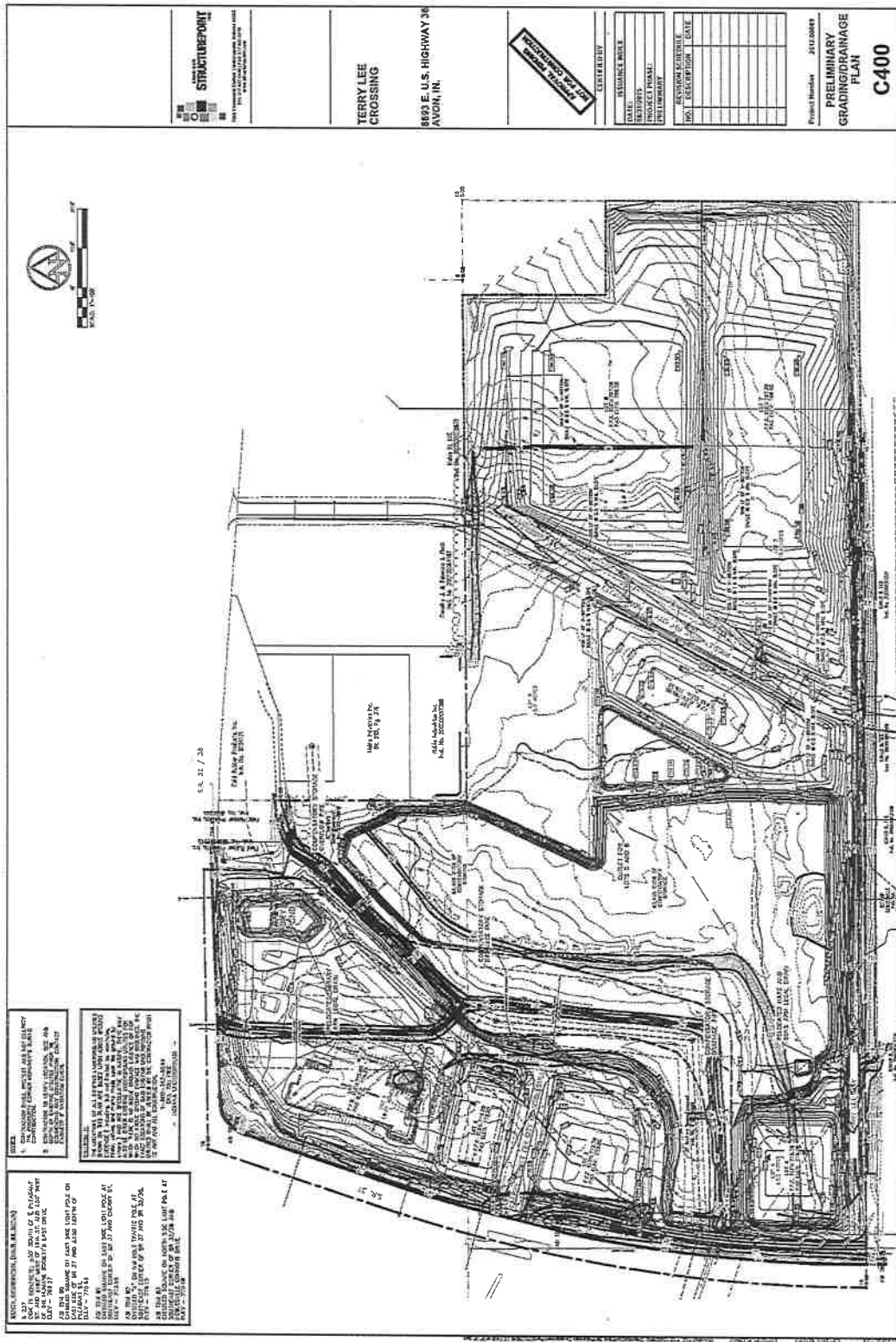


EXHIBIT B-6

