

**ORDINANCE NO. 70-09-16**

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE AND  
OFFICIAL ZONING MAP, ALL PART OF THE COMPREHENSIVE PLAN OF THE  
CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

*Document Cross Reference Nos. 8927311*

This Ordinance (the "Cranbrook PD Ordinance") 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 of the City of Noblesville (the "Plan Commission") conducted a public hearing on docket number 967-2016 at its September 19, 2016 meeting as required by law in regard to the application (the "Petition") filed by Platinum Properties Management Company, Inc. (the "Developer") concerning a change of zoning of certain property described in Exhibit A attached hereto (the "Real Estate") and the adoption of a preliminary development plan to be known, collectively with attached Exhibits, as the "Cranbrook Preliminary Development Plan", as further described in Section 4 below (the "Plan"); and,

**WHEREAS**, the Plan Commission has sent an unfavorable recommendation for adoption of said amendment with a vote of seven (7) in favor and one (1) opposed 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 UDO 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 UDO, is hereby amended to change the zoning of the Real Estate from (i) "R1" Residential, and (ii) "R3" Residential to Residential Planned Development, which is to be known as the Cranbrook Planned Development (the "Cranbrook District").
- B.      The Cranbrook District's underlying zoning district shall be R-1 Residential and R-3 Residential, (the "Underlying Sub-Districts"). Development in Underlying Sub-Districts shall be governed entirely by (i) the provisions of this Cranbrook PD Ordinance and its exhibits, and (ii) those provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Underlying Sub-Districts, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance (collectively, the "Governing Standards").
- C.      In accordance with the provisions of this ordinance, the Official Zoning Map referred to in Article 7 of the UDO shall be updated concurrently to reflect the changes referred to in Section 1 above. A copy of the Official Zoning Map shall be located in the Office of the City Clerk of the City of Noblesville.
- D.      All provisions and representations of the UDO that conflict with the provisions of this Cranbrook PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Cranbrook PD Ordinance.

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HAMILTON County Recorder IN  
Recorded as Presented  




- B. The Director of Planning and Development, including his or her designees, shall review and approve home elevations at the time of filing of Building Permits for compliance and consistency with the home elevations approved by the Architectural Review Board.
- C. The elevations of any home that substantially varies from the Architectural Standards shall be submitted for review and require approval by the Architectural Review Board. The Architectural Review Board shall review said home elevation(s) in order to determine its compatibility and consistency with the intended quality and character of the District and the Architectural Standards.

**Section 7.** **Landscaping and Open Space Standards.** The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as noted below:

- A. **Lot Landscaping.** All Lots shall be landscaped in accordance with the Architectural Review Board Standards (adopted on August 16, 2007) for Lots more than 50' in width.
- 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 and required plant material.
  - 2. No buffer yards shall be required between the Sub-districts or 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.

**Section 8.** **Parking and Loading Standards.** The standards of Article 10, Off-Street Parking and Loading, of the UDO shall apply except as noted below:

**Section 9.** **Lighting Standards.** The standards of Article 13, Environmental Performance Standards, of the UDO, shall apply.

**Section 10.** **Sign Standards.** The District's signs shall comply with Article 11 of the UDO except as noted below:

- A. The subdivision sign for the District shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.
- B. A sign easement shall be granted to the City of Noblesville at the northeast corner of Moontown Road and SR 32 on the Real Estate subject to the terms of a sign easement agreement between the owner and the City of Noblesville.

**Section 11.** **Site Design, Improvement and Infrastructure Standards.** Unless otherwise stated within this Cranbrook PD Ordinance, all public infrastructure within the District shall adhere to the City's standards and design criteria.

- A. The minimum distance between the street centerline and the driveway for lots which front more than one public street shall be fifty (50) feet and the driveways are not required to be placed 10' from the lot line furthest from the intersection.
- B. Corner Lots: Corner lots shall be permitted at the area as illustrated on the Preliminary Development Plan.

**Section 12.** **Additional Standards.** The following additional standards shall be applicable to the Real Estate and the regulation of such standards shall be included in the Declaration of Covenants and Restriction that will be applicable to the Real Estate.

- A. Storage sheds shall be prohibited.
- B. All fences shall be (i) black metal, vinyl or wood, (ii) of a consistent style and height and (iii) a maximum of 6' in height.
- C. Existing trees located in the subdivision common area northwest of Lot #46 as identified on the Preliminary Development Pan shall be preserved subject to existing easements.

**Section 13.** **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, Part E, Section 4, of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DDP.

**Section 14.** **Effective Date.** This Cranbrook PD 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.]

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 22<sup>nd</sup> day of November, 2016.

### COMMON COUNCIL OF THE CITY OF NOBLESVILLE

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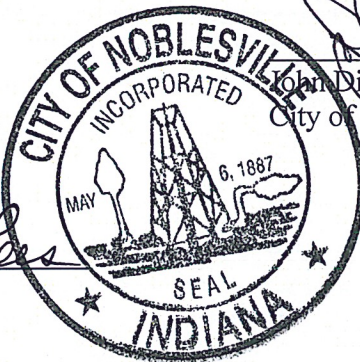
NAY

_____	Brian Ayer	<u>BA</u>
_____	Mark Boice	<u>MB</u>
_____	Wil Hampton	<u>W. Hampton</u>
<u>Christopher Jensen</u>	Christopher Jensen	_____
_____	Roy Johnson	_____
<u>Gregory P. O'Connor</u>	Gregory P. O'Connor	_____
<u>Mary Sue Rowland</u>	Mary Sue Rowland	_____
<u>Rick L. Taylor</u>	Rick L. Taylor	_____
<u>Megan G. Wiles</u>	Megan G. Wiles	_____

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 22<sup>nd</sup> day of November, 2016.

ATTEST:

Evelyn L. Lees  
Evelyn L. Lees, City Clerk



John Ditslear  
John Ditslear, Mayor  
City of Noblesville, IN

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.

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.

Cranbrook - PD Ordinance 5 112816

## **EXHIBIT A**

### **Legal Description (Page 1 of 2)**

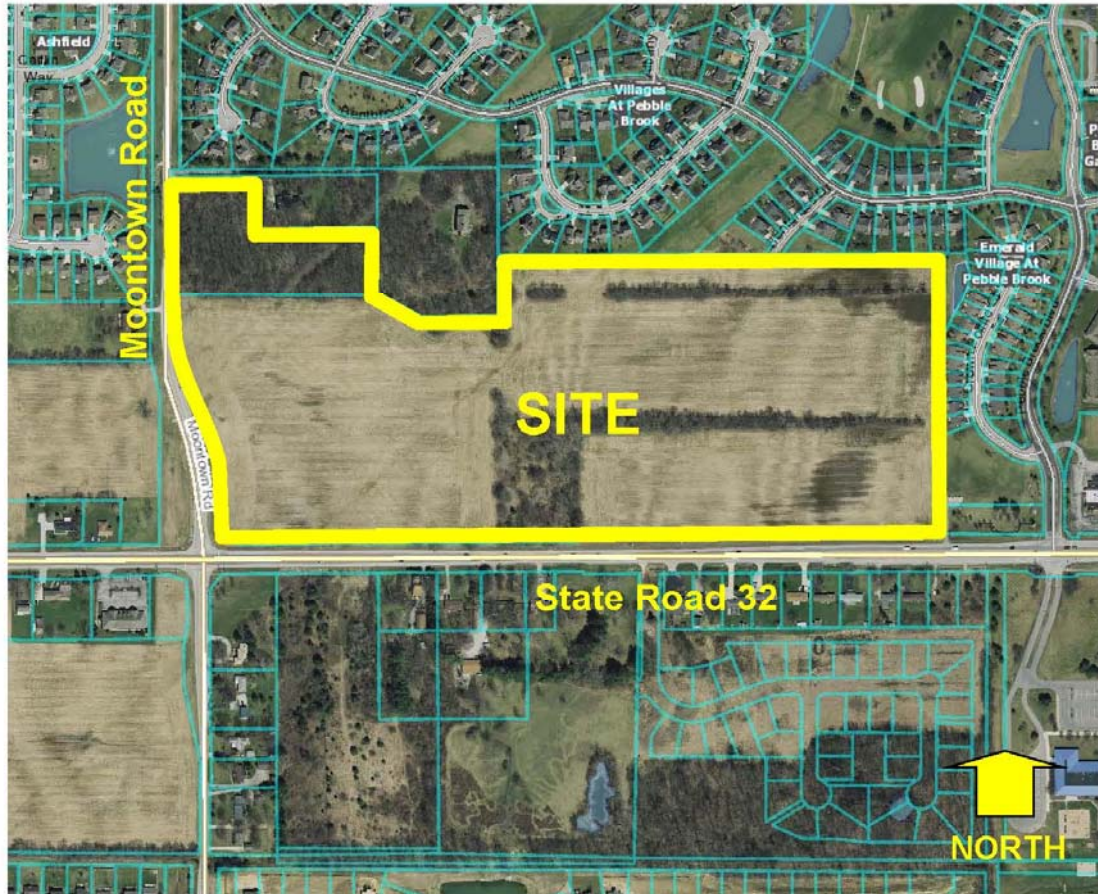
A part of the South Half Southwest Quarter of Section 33, Township 19 North, Range 4 East, Hamilton County, Indiana more particularly described as follows:

Commencing at the Southwest corner of said South half, thence North 89 degrees 41 minutes 56 seconds East along the South line thereof 254.94 feet to the Point of Beginning; thence North 00 degrees 18 minutes 04 seconds West 48.49 feet to a point on the North right of way of State Road 32; thence North 75 degrees 35 minutes 49 seconds West 61.09 feet; ; thence North 00 degrees 39 minutes 23 seconds West 174.02 feet to a point on a curve concave Westerly, the radius point of said curve being South 89 degrees 51 minutes 51 seconds West 669.29 feet from said point; thence Northerly along said curve 154.73 feet to a point on said curve, said point being North 76 degrees 37 minutes 07 seconds East 669.29 feet from the radius point of said curve; thence continuing Northerly along said curve 64.11 feet to the point of tangency of said curve, said point being North 71 degrees 07 minutes 50 seconds East 669.29 feet from the radius point of said curve; thence North 28 degrees 14 minutes 38 seconds West 51.79 feet; thence continuing North 28 degrees 14 minutes 38 seconds West along said line, a distance of 130.26 feet to a point on a curve concave Easterly, the radius point of said curve being North 71 degrees 02 minutes 39 seconds East 574.15 feet from said point; thence Northerly along said curve 89.31 feet to a point on said curve, said point being South 79 degrees 57 minutes 25 seconds West 574.15 feet from the radius point of said curve; thence continuing Northerly along said curve 105.12 feet to the point of tangency of said curve, said point being North 89 degrees 33 minutes 11 seconds West 574.15 feet from the radius point of said curve; thence North 00 degrees 40 minutes 34 seconds West 94.67 feet; thence continuing North 00 degrees 40 minutes 34 seconds West along said line, a distance of 66.09 feet; thence North 22 degrees 37 minutes 26 seconds West 85.15 feet to the west line of said South half; thence North 00 degrees 18 minutes 30 seconds East along said West line 238.12 feet; thence North 89 degrees 35 minutes 15 seconds East 329.43 feet; thence South 00 degrees 18 minutes 30 seconds West 160.00 feet; thence North 89 degrees 35 minutes 15 seconds East 399.18 feet; thence South 00 degrees 18 minutes 30 seconds West 232.07 feet; thence South 89 degrees 40 minutes 05 seconds East 16.79 feet; thence South 60 degrees 53 minutes 47 seconds East 150.51 feet; thence North 89 degrees 43 minutes 44 seconds East 261.33 feet; thence North 00 degrees 18 minutes 31 seconds East 201.96 feet; thence North 89 degrees 29 minutes 33 seconds East 702.87 feet; thence continuing North 89 degrees 29 minutes 33 seconds East along said line, a distance of 812.91 feet; thence South 00 degrees 22 minutes 42 seconds West 1,025.30 feet to the South line of said South half; thence South 89 degrees 41 minutes 56 seconds West 2,068.37 feet; thence continuing South 89 degrees 41 minutes 56 seconds West along said line, a distance of 329.79 feet to the place of beginning, containing 60.605 acres, more or less.



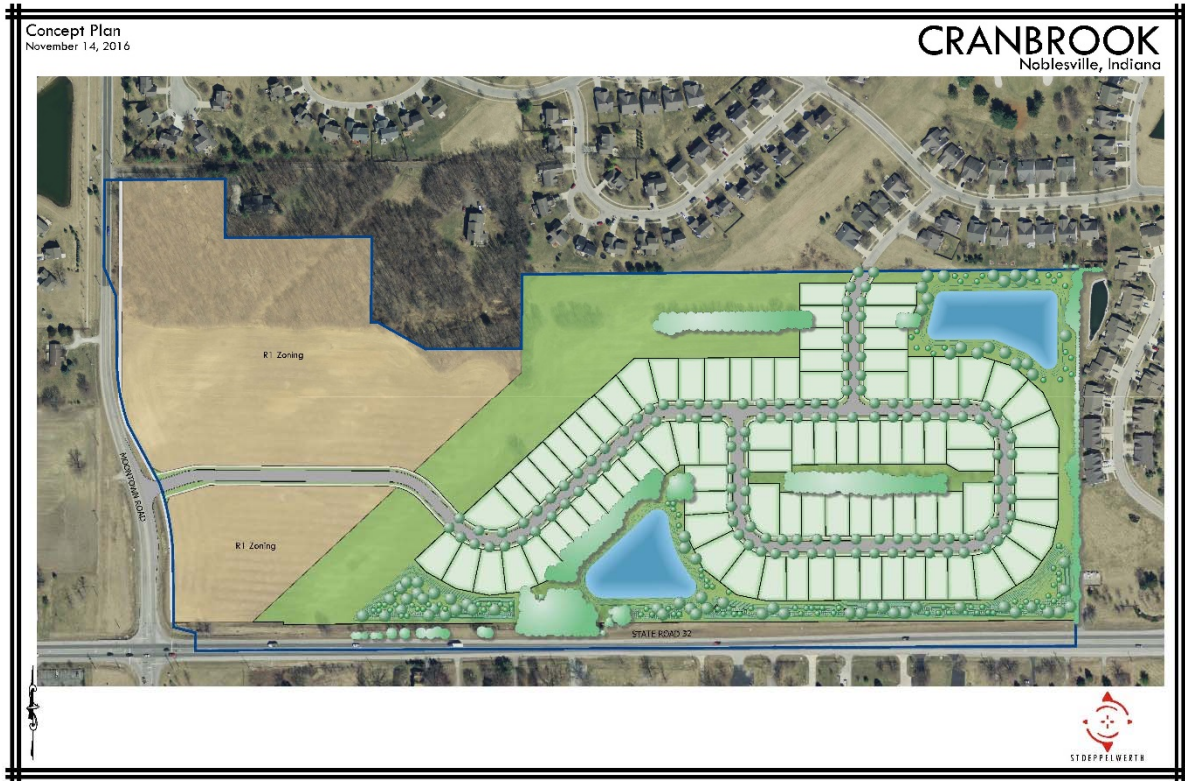
## **EXHIBIT A**

Legal Description  
(Page 2 of 2)



## **EXHIBIT B**

### **(PRELIMINARY DEVELOPMENT PLAN)**





## **EXHIBIT C**

### ARCHITECTURAL STANDARDS (Page 1 of 1)

ARB 972-2016  
Approved by ARB 8/18/2016

Single-Family Detached Residential Architectural Standards		
Architectural Feature		Cranbrook
Floor Area/Dwelling Unit (Minimum)	One-Story Structures (sq. ft.)	1,200
	Two-Story Structures (sq. ft.)	2,500
Lot Coverage (Maximum)		50%
Corner Breaks; Primary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	4
Corner Breaks; Secondary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	3
Porch	Required	n/a
	Minimum Size (sq. ft.)	20
Masonry Percentage (Minimum)	Primary Architectural Plane	50%
	Secondary Architectural Plane	0%
Material Restrictions	Vinyl (.048 gauge minimum)	NO
	Vinyl (less than .048 gauge)	NO
	Aluminum	NO
Roof Pitch (Minimum)	Primary Ridge	6/12
Roof Ridgelines (Minimum)	One-Story	3
	Two-Story	5
Roof Overhang; (Minimum)	Masonry (in.)	12
	Non-Masonry (in.)	12
Number of Windows; Primary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	4
Number of Windows; Secondary Architectural Plane (Minimum)	One-Story Structures	3
	Two-Story Structures	4
Number of Windows; Total Aggregate (Minimum)	One-Story Structures	12
	Two-Story Structures	16
Window Treatment Required	Primary Architectural Plane	YES
	Secondary Architectural Plane	YES
Garage Door Percentage, Primary Architectural Plane (Maximum)	One-Story Structures	30%
	Two-Story Structures	20%
Garage Door Windows Required		NO

**\*Notwithstanding the above table the minimum floor area requirements of Section 5.F of this Ordinance shall apply.**