

2300 (1)

ORDINANCE NO. 20-03-16

2016016736 ORDINANCE \$23.00
04/15/2016 11:30:44A 7 PGS
Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented

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

Document Cross Reference No. 2015-60489

This is an Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), and adopted Planned Development Ordinance No. 91-11-05 (the "Essex Of Noblesville Planned Development"), both 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 000123 (the "Petition") at its March 21, 2016, meeting as required by law in regard to the application filed by Box326, LLC (the "Developer") for an amendment to the Essex Of Noblesville PD Ordinance, Ordinance Number 91-11-05 regarding the subject real estate containing approximately 74.23 acres, more particularly described in Exhibit A attached hereto (the "Real Estate"); and,

WHEREAS, the Plan Commission sent a favorable recommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana, by a vote of ten (10) in favor and zero (0) opposed;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Essex Of Noblesville PD Ordinance, Ordinance Number 91-11-05, is hereby amended as follows:

Section 1. **Applicability of Amendment Ordinance.**

- 1.1 This ordinance shall hereafter be referred to as the Essex Of Noblesville PD Amendment Ordinance (the "Amendment Ordinance").
- 1.2 All other provisions of the Essex Of Noblesville PD Ordinance shall remain in effect with the adoption of this Amendment Ordinance.
- 1.3 All provisions and representations of the Essex Of Noblesville PD Ordinance or UDO that conflict with the provisions of this Amendment Ordinance are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Amendment Ordinance.








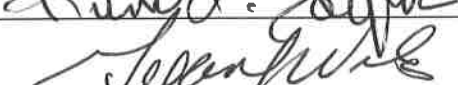

Section 2. **Preliminary Development Plan.** The amended preliminary development plan, attached hereto as Exhibits B-1, B-2 & B-3, is hereby approved. The preliminary development plan is intended to establish conceptual goals for the development.

Section 3. **Open Space; Peripheral Yard.** Section 9 of the Essex Of Noblesville PD Ordinance is hereby amended to read as follows:


Open space shall be provided substantially in the size and configuration and in the locations depicted on the Preliminary Development Plan, provided that in no event shall less than **twenty-four percent (24%)** of the Real Estate be open space. Open space shall be used for social, recreational, and/or environmental preservation purposes. Recreational buildings, structures, and improvements (for example, picnic structures, playground equipment and gazebos) may be constructed in the open space. A fifty (50) foot wide peripheral yard as required by the Zoning Ordinance shall be provided along the perimeter of the District except as indicated on Exhibit "B" attached hereto.

Section 4. **Approval.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 12th day of April, 2016.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

	_____ Brian Ayer
	_____ Mark Boice
	_____ Wil Hampton
	_____ Christopher Jensen
	_____ Roy Johnson
	_____ Gregory P. O'Connor
	_____ Mary Sue Rowland
	_____ Rick L. Taylor
	_____ Megan G. Wiles

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana this
12th day of April, 2016.


John Ditslear, Mayor
City of Noblesville, Indiana

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: Andrew E. Wert.

Prepared by: Andrew E. Wert, City of Noblesville
16 South 10th Street, Suite 150, Noblesville, Indiana 46060 | (317) 776-6325

EXHIBIT A

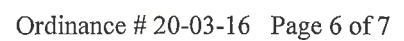
LEGAL DESCRIPTION

The Northwest Quarter of the Northwest Quarter of Section 10 and a part of the South Half of the Southwest Quarter of Section 3, all in Township 18 North, Range 4 East of the 2nd Principal Meridian, Noblesville Township, Hamilton County, Indiana, more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of said Section 3; thence North 00 degrees 01 minutes 10 seconds West along the west line of the South Half of the Southwest Quarter of said Section 3 a distance of 554.35 feet; thence North 89 degrees 23 minutes 18 seconds East parallel with the north line of said South Half a distance of 415.00 feet; thence North 00 degrees 01 minutes 10 seconds West parallel with said west line a distance of 435.00 feet; thence South 89 degrees 23 minutes 18 seconds West parallel with said north line a distance of 250.00 feet; thence North 00 degrees 01 minutes 10 seconds West parallel with said west line a distance of 330.00 feet to said north line; thence North 89 degrees 23 minutes 18 seconds East along said north line a distance of 362.12 feet; thence South 00 degrees 36 minutes 42 seconds East perpendicular to said north line a distance of 225.00 feet; thence North 89 degrees 23 minutes 18 seconds East parallel with said north line a distance of 235.46 feet; thence North 00 degrees 36 minutes 42 seconds West perpendicular to said north line a distance of 225.00 feet to said north line; thence North 89 degrees 23 minutes 18 seconds East along said north line a distance of 591.33 feet; thence South 00 degrees 01 minutes 10 seconds East parallel with said west line a distance of 669.56 feet; thence South 89 degrees 46 minutes 17 seconds West parallel with the south line of the South Half of said Southwest Quarter a distance of 31.52 feet; thence South 00 degrees 01 minutes 10 seconds East parallel with said west line a distance of 658.84 feet to said south line; thence South 89 degrees 46 minutes 17 seconds West along said south line a distance of 0.82 feet to the northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 10; thence South 00 degrees 10 minutes 33 seconds West along the east line of said Northwest Quarter-Quarter Section a distance of 1323.37 feet to the south line of said Northwest Quarter-Quarter Section; thence South 89 degrees 43 minutes 34 seconds West along said south line a distance of 1321.93 feet to the west line of said Northwest Quarter-Quarter Section; thence North 00 degrees 11 minutes 37 seconds East along said west line a distance of 1324.41 feet to the Point of Beginning; containing 74.23 acres, more or less.

[illegible]

**ESSEX OF NOBLESVILLE
MODIFIED PRELIMINARY DEVELOPMENT PLAN**



**ESSEX OF NOBLESVILLE
MODIFIED PRELIMINARY DEVELOPMENT PLAN**

