



# Common Council

## Agenda Item

### Cover Sheet

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**MEETING DATE:** August 27, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

**ITEM or ORDINANCE:** #46-08-24

**PRESENTED BY:** Joyceann Yelton

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

**ORDINANCE NO. 46-08-24**

**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. 2021-87273*

This Ordinance amends the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, 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-0074-2024 at its May 20, 2024 meeting as required by law concerning a change of zoning of certain property described in **Exhibit A** attached hereto (the “Real Estate”) containing 12.09 acres, and depicted in **Exhibit B** attached hereto; and,

**WHEREAS**, the Plan Commission has sent a Favorable recommendation for adoption of said amendment with a vote of nine (9) AYES and zero (0) NAYS to the Common Council of the City of Noblesville Hamilton County, Indiana (the “Common Council”);

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council at its meeting in regular session, that the Unified Development Ordinance and Official Zoning Map, are hereby amended as follows:

**Section 1.** The Official Zone Map is hereby amended to change the zoning of the parcel legally described in **Exhibit A** and visually depicted in **Exhibit B** from (i) the Corporate Campus Planned Development (“CCPD”) 146<sup>th</sup> Street Corridor Subdistrict and Single-family / Multi-family / Commercial / Office / Flex Land Use Type to the CCPD Mixed Residential Subdistrict and Single-family / Multi-family / Commercial / Office / Flex Land Use Type.

**Section 2.** That the Zoning map shall be updated concurrently to reflect the changes referred to in **Section 1.**

**Section 3.** This 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 \_\_\_\_\_, 2024 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	David M. Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: \_\_\_\_\_  
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2024 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

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.

Oasis at Hyde Park - Rezone Ordinance 4 082124

**EXHIBIT A**

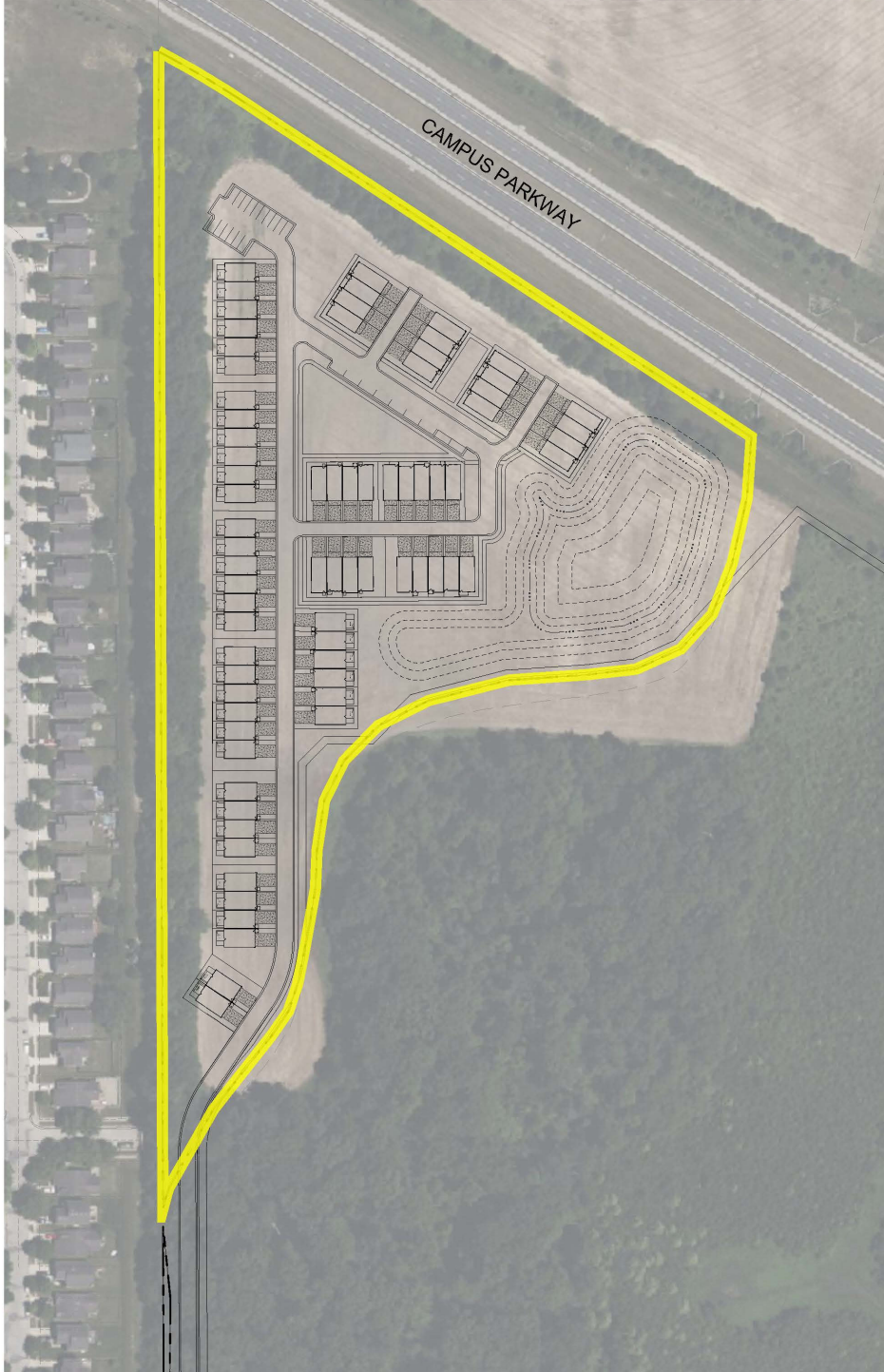
Legal Description  
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PART OF THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 18 NORTH, RANGE 5 EAST OF THE SECOND PRINCIPAL MERIDIAN, HAMILTON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT A STONE AT THE NORTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE ALONG THE WEST LINE THEREOF SOUTH 00 DEGREES 13 MINUTES 37 SECONDS EAST (BASIS OF BEARINGS) 415.19 FEET TO THE SOUTH LINE OF THE CITY OF NOBLESVILLE PER INSTRUMENT NUMBER 200600017144 EXHIBIT C-1 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA AND THE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID WEST LINE SOUTH 00 DEGREES 13 MINUTES 37 SECONDS EAST 1485.69 FEET TO THE WEST LINE OF THE LAND OF NOBLESVILLE PER SAID INSTRUMENT NUMBER 200600017144 EXHIBIT A-2; THENCE THE FOLLOWING TWENTY TWO (22) COURSES ALONG THE WESTERLY AND SOUTHERLY LINES OF LAST SAID INSTRUMENT EXHIBITS A-2 AND C-1; (1) NORTH 15 DEGREES 45 MINUTES 34 SECONDS EAST 28.24 FEET; (2) NORTH 29 DEGREES 29 MINUTES 35 SECONDS EAST 115.65 FEET; (3) NORTH 38 DEGREES 19 MINUTES 52 SECONDS EAST 120.34 FEET; (4) NORTH 34 DEGREES 39 MINUTES 09 SECONDS EAST 38.27 FEET; (5) NORTH 18 DEGREES 16 MINUTES 54 SECONDS EAST 38.27 FEET; (6) NORTH 11 DEGREES 16 MINUTES 41 SECONDS EAST 78.43 FEET; (7) NORTH 09 DEGREES 02 MINUTES 28 SECONDS EAST 47.07 FEET; (8) NORTH 02 DEGREES 12 MINUTES 14 SECONDS EAST 47.07 FEET; (9) NORTH 08 DEGREES 24 MINUTES 29 SECONDS EAST 64.63 FEET; (10) NORTH 26 DEGREES 28 MINUTES 14 SECONDS EAST 56.74 FEET; (11) NORTH 44 DEGREES 13 MINUTES 49 SECONDS EAST 62.61 FEET; (12) NORTH 63 DEGREES 30 MINUTES 53 SECONDS EAST 72.75 FEET; (13) NORTH 75 DEGREES 30 MINUTES 30 SECONDS EAST 103.50 FEET; (14) NORTH 86 DEGREES 04 MINUTES 39 SECONDS EAST 104.27 FEET; (15) NORTH 83 DEGREES 05 MINUTES 48 SECONDS EAST 62.21 FEET; (16) NORTH 65 DEGREES 44 MINUTES 51 SECONDS EAST 62.67 FEET; (17) NORTH 42 DEGREES 21 MINUTES 48 SECONDS EAST 59.79 FEET; (18) NORTH 21 DEGREES 25 MINUTES 00 SECONDS EAST 69.58 FEET; (19) NORTH 12 DEGREES 38 MINUTES 35 SECONDS EAST 88.13 FEET; (20) NORTH 04 DEGREES 08 MINUTES 52 SECONDS EAST 77.20 FEET; (21) NORTH 56 DEGREES 33 MINUTES 09 SECONDS WEST 778.31 FEET TO A POINT ON A CURVE CONCAVE SOUTHWESTERLY HAVING A RADIUS OF 1332.39 FEET AND A CHORD BEARING NORTH 59 DEGREES 20 MINUTES 04 SECONDS WEST 129.34 FEET; (22) NORTHWESTERLY ALONG SAID CURVE 129.39 FEET TO THE POINT OF BEGINNING, CONTAINING 12.09 ACRES, MORE OR LESS.

**EXHIBIT B**

Legal Description  
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# Noblesville Plan Commission Noblesville, Indiana

To the Noblesville City Council:

This is to certify that the Plan Commission of Noblesville, Indiana held a public hearing on the **19th day of August, 2024** for a change of zoning, a part of the Comprehensive Master Plan, and after due consideration, recommends that the City of Noblesville ADOPT said amendment.


**Application No. 0074-2024** Change of Land Use from Single-Family/Multi-Family-Commercial/Office/Flex with a subdistrict of 146<sup>th</sup> Street Corridor to Single-family/Multi-Family with a Subdistrict overlay of Mixed Residential, all apart of the Corporate Campus Planned Development for approximately 15.5 acres located south of Campus Parkway and east of Marilyn Ridge Subdivision. Submitted by MAB Capital Investments, LLC (Steve Ball, Owner), Fisher Homes (Amanda Deardorff, Applicant), and Jim Shinaver Attorney Staff Reviewer - Joyceann Yelton

Plan Commission Action: 9 Ayes 0 Nays 0 Abstentions

Petition is forwarded with a FAVORABLE recommendation

Respectfully submitted,  
Noblesville Plan Commission

By:   
Gretchen A. Hanes President

  
Caleb P. Gutshall Secretary