

ORDINANCE NO. ##-##-24

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF NOBLESVILLE, A PART OF THE COMPREHENSIVE MASTER PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

An ordinance to amend the Unified Development Ordinance (the “**UDO**”) for the City of Noblesville, Hamilton County, Indiana enacted by the City of Noblesville pursuant to its authority under the laws of the State of Indiana, IC 36-7-4 *et seq.*, as amended.

WHEREAS, the Advisory Plan Commission of the City of Noblesville (the “**Plan Commission**”) has conducted a public hearing on Application No. LEGP-00####-2024 at its March 18, 2024 meeting as required by law in regard to a change in zoning filed by Matthew S. Skelton concerning the property described in Exhibit A-1 attached hereto (the “**Residential Real Estate**”), Exhibit A-2 attached hereto (the “**Commercial Real Estate**”), and Exhibit A-3 (the “**Combined Real Estate**”), all of which is located within the zoning jurisdiction of the City of Noblesville; and

WHEREAS, the Advisory Plan Commission has sent a _____ recommendation for adoption of said amendment with a vote of _____ # _____ AYES and _____ # _____ 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, meeting in regular session, that the UDO, is hereby amended as follows:

Section 1. The Official Zoning Map, Corporate Campus Land Use & Subdistricts (the “**Zone Map**”) is hereby amended to change the zoning of the Residential Real Estate to Corporate Campus Planned Development with a Land Use Type of Single Family Residential and a Subdistrict Type of Mixed Residential, as designated in the UDO, and removal of the Government Use Overlay. It is further amended to change the zoning of the Commercial Real Estate to Corporate Campus Planned Development with a Land Use Type of Commercial, as designated in the UDO.

Section 2. This ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

Section 3. Upon motion duly made and seconded; this ordinance was fully passed by the members of the Common Council this _____ day of _____, 2024.

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		
	Dave 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 of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. *Matthew S. Skelton*

Prepared by Matthew S. Skelton, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana, 46060, (317.773.2190).

EXHIBIT A-1

Legal Description – Residential Real Estate

THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE IN TRACT 1 AND TRACT 2 THAT FALLS WITHIN SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA:

TRACT 1

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 166.57 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 304.12 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 669.02 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 470.69 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 659.22 FEET TO A MAG NAIL AT THE NORTHEAST QUARTER OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 1221.90 FEET ALONG THE EAST LINE OF SAID WEST HALF TO A MAG NAIL; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 412.00 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 188.25 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 2218.80 FEET TO A MAG NAIL ON THE WEST LINE OF THE EAST HALF OF THE SOUTH EAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1237.01 FEET MORE OR LESS TO A MAG NAIL THAT BEARS SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 14 SECONDS EAST 1308.37 FEET TO THE POINT OF BEGINNING. CONTAINING 70.9530 ACRES, MORE OR LESS.

TRACT 2

(DESCRIPTION OF "GAP" IN DESCRIPTIONS)

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST (ASSUMED BEARING) 165.00 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 1.57 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST 1308.37 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1.57 FEET ALONG THE WEST LINE OF SAID EAST HALF TO A MAG NAIL; THENCE NORTH 89 DEGREES 55 MINUTES 14 SECONDS EAST 1308.38 FEET TO THE POINT OF BEGINNING, CONTAINING 0.047 OF AN ACRE MORE OR LESS.

EXHIBIT A-2

Legal Description – Commercial Real Estate

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 43.77 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTHERLY RIGHT OF WAY LINE OF 146TH STREET AS ESTABLISHED BY INSTRUMENT #200600019573, SAID 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 1198.88 FEET, MORE OR LESS, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH CAP AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF A 70.9530 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT #200300105715; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 1244.14 FEET TO A 5/8" STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD PER INSTRUMENT No. 20100013614; THENCE ON SAID EAST RIGHT OF WAY LINE SOUTH 00 DEGREES 31 MINUTES 18 SECONDS EAST 539.42 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 25 SECONDS EAST 2.08 FEET TO A CONCRETE RIGHT OF WAY MARKER ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD AS ESTABLISHED BY INSTRUMENT #200600019573 (SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 89 DEGREES 29 MINUTES 34 SECONDS EAST 60.00 FEET FROM STATION 26+00.00 ON LINE S- 2-B (THE RECONSTRUCTED CENTERLINE OF HOWE ROAD) AS REFERRED TO IN THE RIGHT OF WAY PARCEL PLAT RECORDED IN SAID INSTRUMENT #200600019573. THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECONDS EAST 152.00 FEET ALONG SAID EAST RIGHT OF WAY LINE AND PARALLEL WITH SAID LINE S-2-B TO THE BEGINNING OF THE LIMITED ACCESS RIGHT OF WAY FOR HOWE ROAD; THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECOND EAST 300.00 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 47 DEGREES 30 MINUTES 22 SECONDS EAST 80.85 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY TO A CONCRETE RIGHT OF WAY MARKER ON THE NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE FOR 146TH STREET, SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 03 DEGREES 28 MINUTES 44 SECONDS EAST 6105.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 717.62 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY FOR 146TH STREET AND ALONG SAID CONCRETE RIGHT OF WAY MARKER BEING SOUTH 10 DEGREES 12 MINUTES 50 SECONDS WEST 5895.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY 450.69 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY AND ALONG SAID CURVE TO THE LEFT TO A CONCRETE RIGHT OF WAY MARKER AT THE TERMINUS OF SAID LIMITED ACCESS RIGHT OF WAY; THENCE SOUTHEASTERLY 26.38 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID 146TH STREET AND ALONG SAID CURVE TO THE LEFT OF THE POINT OF BEGINNING, CONTAINING 31.75 ACRES, MORE OR LESS.

EXHIBIT A-3

Legal Description – Combined Real Estate

THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE IN TRACT 1 AND TRACT 2 THAT FALLS WITHIN SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA:

TRACT 1

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 166.57 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 304.12 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 669.02 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 470.69 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 659.22 FEET TO A MAG NAIL AT THE NORTHEAST QUARTER OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 1221.90 FEET ALONG THE EAST LINE OF SAID WEST HALF TO A MAG NAIL; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 412.00 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 188.25 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 2218.80 FEET TO A MAG NAIL ON THE WEST LINE OF THE EAST HALF OF THE SOUTH EAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1237.01 FEET MORE OR LESS TO A MAG NAIL THAT BEARS SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 14 SECONDS EAST 1308.37 FEET TO THE POINT OF BEGINNING. CONTAINING 70.9530 ACRES, MORE OR LESS.

TRACT 2

(DESCRIPTION OF "GAP" IN DESCRIPTIONS)

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST (ASSUMED BEARING) 165.00 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 1.57 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST 1308.37 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1.57 FEET ALONG THE WEST LINE OF SAID EAST HALF TO A MAG NAIL; THENCE NORTH 89 DEGREES 55

MINUTES 14 SECONDS EAST 1308.38 FEET TO THE POINT OF BEGINNING, CONTAINING 0.047 OF AN ACRE MORE OR LESS.

TRACT 3

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 43.77 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTHERLY RIGHT OF WAY LINE OF 146TH STREET AS ESTABLISHED BY INSTRUMENT #200600019573, SAID 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 1198.88 FEET, MORE OR LESS. ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH CAP AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF A 70.9530 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT #200300105715; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 1244.14 FEET TO A 5/8" STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD PER INSTRUMENT No. 20100013614; THENCE ON SAID EAST RIGHT OF WAY LINE SOUTH 00 DEGREES 31 MINUTES 18 SECONDS EAST 539.42 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 25 SECONDS EAST 2.08 FEET TO A CONCRETE RIGHT OF WAY MARKER ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD AS ESTABLISHED BY INSTRUMENT #200600019573 (SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 89 DEGREES 29 MINUTES 34 SECONDS EAST 60.00 FEET FROM STATION 26+00.00 ON LINE S- 2-B (THE RECONSTRUCTED CENTERLINE OF HOWE ROAD) AS REFERRED TO IN THE RIGHT OF WAY PARCEL PLAT RECORDED IN SAID INSTRUMENT #200600019573. THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECONDS EAST 152.00 FEET ALONG SAID EAST RIGHT OF WAY LINE AND PARALLEL WITH SAID LINE S-2-B TO THE BEGINNING OF THE LIMITED ACCESS RIGHT OF WAY FOR HOWE ROAD; THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECONDS EAST 300.00 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 47 DEGREES 30 MINUTES 22 SECONDS EAST 80.85 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY TO A CONCRETE RIGHT OF WAY MARKER ON THE NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE FOR 146TH STREET, SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 03 DEGREES 28 MINUTES 44 SECONDS EAST 6105.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 717.62 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY FOR 146TH STREET AND ALONG SAID CONCRETE RIGHT OF WAY MARKER BEING SOUTH 10 DEGREES 12 MINUTES 50 SECONDS WEST 5895.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY 450.69 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY AND ALONG SAID CURVE TO THE LEFT TO A CONCRETE RIGHT OF WAY MARKER AT THE TERMINUS OF SAID LIMITED ACCESS RIGHT OF WAY; THENCE SOUTHEASTERLY 26.38 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID 146TH STREET AND ALONG SAID CURVE TO THE LEFT OF THE POINT OF BEGINNING, CONTAINING 31.75 ACRES, MORE OR LESS.