

5-25-

2023004940 ORDINANCE \$25.00  
02/16/2023 02:09:49P 5 PGS  
Trini Beaver  
HAMILTON County Recorder IN  
Recorded as Presented



**ORDINANCE NO. 05-02-23**

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE MASTER PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

An Ordinance to amend the Unified Development Ordinance and all amendments thereto for the City of Noblesville, Hamilton County, Indiana, enacted by the City of Noblesville under the authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended, and

**WHEREAS**, the Plan Commission of the City of Noblesville has conducted a public hearing on Application No. LEGP NO. 0240-2022 as required by law concerning an amendment for a waiver to permit a vehicle used area between the building setback and the front property line adjacent to an arterial roadway and a waiver for an encroachment of a landscape buffer easement, all a part of the Unified Development Ordinance and after due consideration has sent a favorable recommendation for adoption to the Council with a vote of eight (8) ayes, zero (0) nays, and zero (0) abstention at their January 17, 2023 meeting, and

**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 all amendments thereto are hereby amended as follows:

**SECTION 1.** That the subject real estate located at 9855 and 9895 Cumberland Pointe Boulevard and is legally described as Lots 11 and 12 in Cumberland Pointe Commercial Subdivision; said parcel is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana and is currently zoned "CCPD Corporate Campus Planned Development" district with a land use category of "Commercial" and a subdistrict overlay of "Secondary Corridor".

**SECTION 2.** That this ordinance and the attached "Exhibit 1 - Site Plan" indicates the vehicular used areas (parking, loading and/or vehicular used areas) between the building and




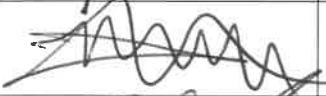





the front property line abutting the arterial roadway of Cumberland Road along the western portion of the site plan and encroachment of a landscape buffer easement. The following waivers are hereby granted to allow for the encroachment of vehicular used areas between the building and the front property line along Cumberland Road and the allowance of pervious pavers within the landscape buffer for the benefit of emergency vehicles adjacent to Cumberland Road.

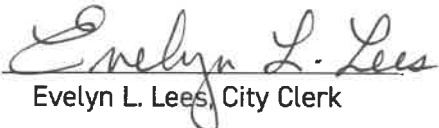
**SECTION 3.** Unless a development standard, specification, guideline, and/or requirement contained in the Unified Development Ordinance, As Amended and adopted at the time of the public hearing is varied, altered, or modified by this ordinance and/or exhibits, then such development standards, specifications, guidelines, and/or requirements as specified in the Unified Development Ordinance shall apply.

**SECTION 4.** This Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law. All prior ordinances or parts thereof in conflict therewith are repealed and deemed to conform to the provisions of these amendments.

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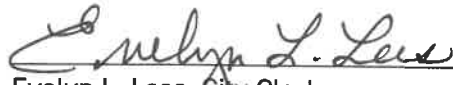
**SECTION 5.** Upon motion duly made and seconded; this Ordinance was fully passed by the members of the Common Council this 14<sup>th</sup> day of February, 2023.

AYE	COUNCIL	NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Dan Spartz		
	Megan G. Wiles		

ATTEST:   
 Evelyn L. Lees, City Clerk

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Presented by me to the Mayor of the City of Noblesville, Indiana this 15<sup>th</sup> day  
of February, 2023 at 8:06 A .M.

  
Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

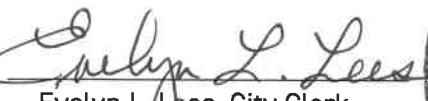
  
Chris Jensen, Mayor

2-15-2023  
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.

Joyceann Yelton  
Printed Name of Declarant

This document prepared by: Joyceann Yelton, City of Noblesville, Planning Department, 16 S. 10<sup>th</sup> Street, Noblesville, Indiana 46060  
317-776-6325

**EXHIBIT 1**

PATCH CUMBERLAND POINT LLC

patch development

400 Alpha Dr  
Westfield, IN 46074



CUMBERLAND POINT

NOBLESVILLE, IN

**APPROVAL PENDING  
NOT FOR CONSTRUCTION**  
BY SUBMITTING THIS PLAN THE CONTRACTOR ASSUMES ALL RISKS OF ADDITIONAL COSTS OF REVISIONS DUE TO REQUIREMENTS OF THE OWNER OR GOVERNMENTAL AUTHORITIES AND MATERIAL REVISIONS BY THE COURSE OF COMPLETING THE FINAL DESIGN.

CERTIFIED BY

ISSUANCE INDEX

DATE:	11/22/2022
PROJECT PHASE:	
ISSUE FOR PERMIT	

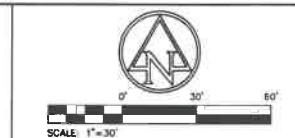
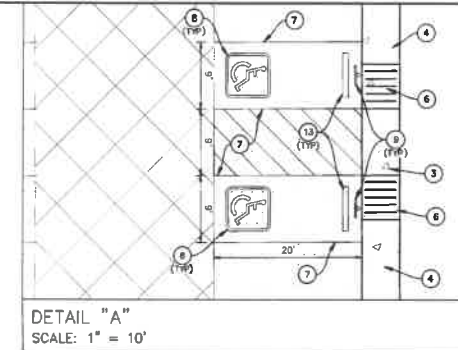
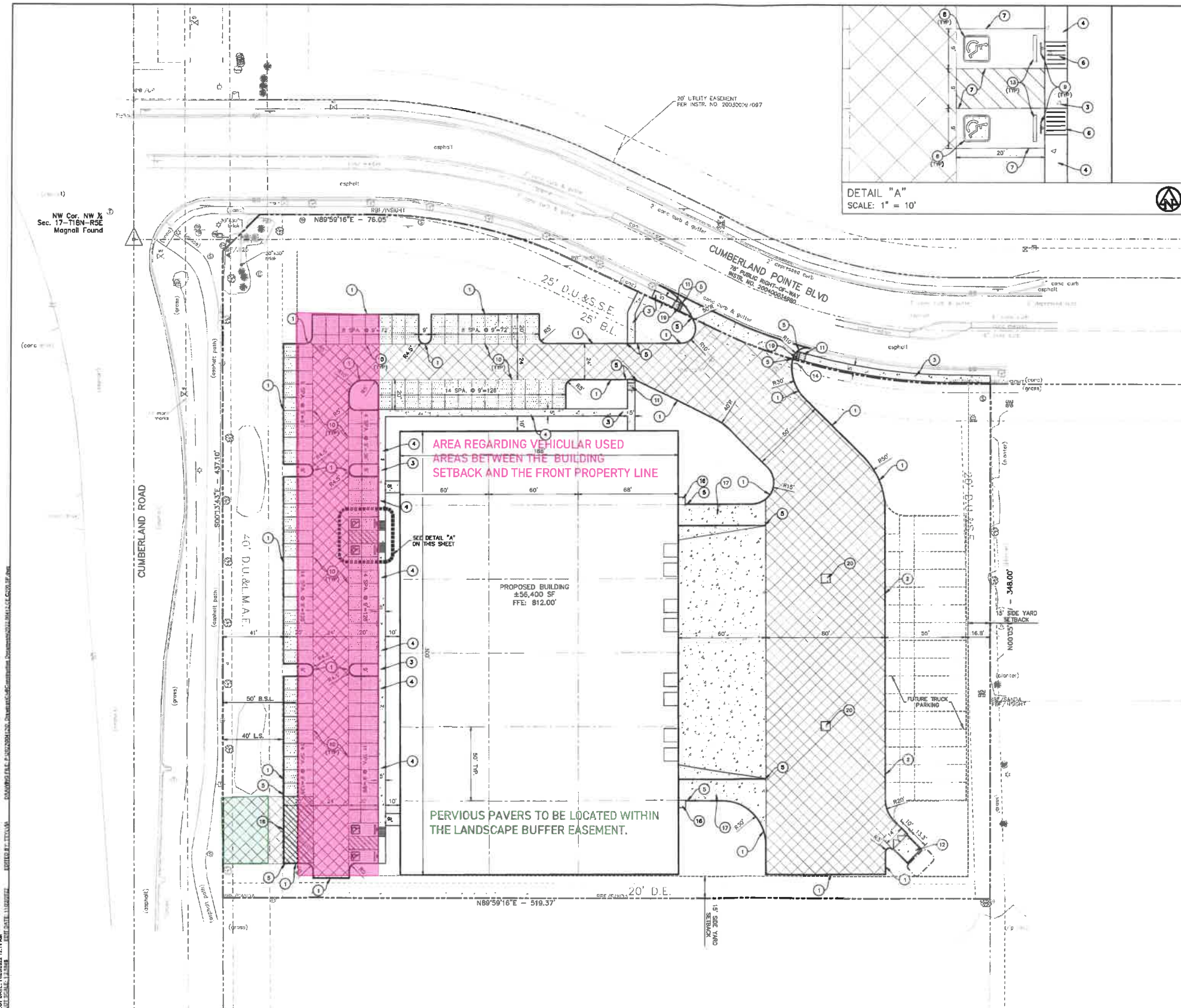
REVISION SCHEDULE

NO.	DESCRIPTION	DATE

Project Number 2022.00412

SITE PLAN

**C200**



**EXISTING LEGEND**

- Beehive Inlet
- Combination Pole
- Curb Inlet
- Drainage Inlet
- Fire Hydrant
- Gas Valve
- Ground Light
- Guy Wire
- Light Pole
- Pine Tree
- Post
- Sanitary MH
- Sign
- Telephone Manhole
- Telephone Marker
- Telephone MH
- Telephone Pedestal
- Transformer
- Tree
- TV Pedestal
- Water Valve
- ctv- Buried Cable TV Line
- e- Buried Electric Line
- g- Buried Gas Line
- t- Buried Telephone Line
- w- Buried Water Line
- oh- Overhead Electric Line

**SITE LEGEND**

- LIGHT DUTY ASPHALT PAVEMENT
- HEAVY DUTY ASPHALT PAVEMENT
- RIGHT OF WAY ASPHALT PAVEMENT
- CONCRETE PAVEMENT

**SITE DATA TABLE**

SITE ZONING:	CCPD
PROJECT AREA:	4.9± ACRES
BUILDING AREA:	56,400 SF
SITE IMPERVIOUS AREA:	1.8± ACRES
STANDARD PARKING (9'x20'):	83
ADA PARKING PROVIDED:	4
( INCLUDES 1 VAN ACCESSIBLE )	
TOTAL PROPOSED PARKING:	87

**KEYNOTES**

1. 6" STANDARD BARRIER CONCRETE CURB
2. 8" CONCRETE EXTRUDED CURB
3. CONCRETE SIDEWALK
4. COMBINED CONCRETE CURB & WALK
5. CURB TAPER
6. ADA ACCESSIBLE RAMP TYPE "K"
7. ADA PARKING SPACE (4" BLUE PAINT STRIPE)
8. ADA PARKING SYMBOL
9. ADA ACCESSIBLE PARKING SIGN
10. PARKING SPACE (4" WHITE PAINT STRIPE)
11. ADA ACCESSIBLE RAMP TYPE "C"
12. DUMPSTER PAD
13. CONCRETE WHEEL STOP
14. STOP SIGN
15. STOP BAR, 24", WHITE, THERMOPLASTIC
16. 8'x5' CONCRETE PAD
17. DRIVE IN RAMP (REFER TO ARCHITECTURAL AND STRUCTURAL PLANS)
18. CONCRETE ROLL CURB
19. TRUNCATED DOMES
20. 8'x8' CONCRETE COLLAR

**GENERAL NOTES**

1. CONTRACTOR SHALL PROTECT AND NOT DESTROY THE PROPERTY CORNER MONUMENTS DURING CONSTRUCTION.
2. CONTRACTOR TO VERIFY LOCATION, SIZE AND DEPTH OF EXISTING UTILITIES PRIOR TO COMMENCING ANY CONSTRUCTION. CONTACT ENGINEER IF VARIATION EXISTS.
3. SEE SHEET C202 GENERAL NOTES FOR MORE INFORMATION.
4. ANY CHANGES TO PLANT MATERIAL MUST BE APPROVED BY PLANNING PRIOR TO ORDERING AND/OR PLANTING.

**CAUTION !!**

THE LOCATIONS OF ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE BASED UPON ABOVE GROUND EVIDENCE (including, but not limited to, manholes, inlets, valves, and marks made upon the ground by others) AND ARE SPECULATIVE IN NATURE. THERE MAY ALSO BE OTHER EXISTING UNDERGROUND UTILITIES FOR WHICH THERE IS NO ABOVE GROUND EVIDENCE OR FOR WHICH NO ABOVE GROUND EVIDENCE WAS OBSERVED. THE EXACT LOCATIONS OF SAID EXISTING UNDERGROUND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO ANY AND ALL CONSTRUCTION.

CALL TOLL FREE  
"811" OR 1-800-382-5544  
- INDIANA UNDERGROUND -

DATE: 11/22/2022 12:41 PM  
 PROJECT: CUMBERLAND POINT LLC  
 DRAWING: SITE PLAN  
 REVISIONS: 11/22/2022  
 DESIGNED BY: TREVOR  
 CHECKED BY: TREVOR  
 APPROVED BY: TREVOR  
 CUMBERLAND POINT LLC  
 8025 River Road, Suite 200 | Indianapolis, Indiana 46240  
 TEL: 317.547.5500 | FAX: 317.643.0270  
 www.structurepoint.com