

ORDINANCE NO. 12-4-02

AN ORDINANCE TO AMEND THE ZONING ORDINANCE,
A PART OF THE MASTER PLAN OF THE CITY OF
NOBLESVILLE, HAMILTON COUNTY, INDIANA

An Ordinance to Amend the Unified Development Ordinance of 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 "Commission") has conducted a public hearing as required by law in regard to the application for a change of zone district designation filed by Primrose Development Company, LLC for the real estate containing approximately 189 acres, legally described on Exhibit "A" hereto, and located in Noblesville Township, Noblesville, Indiana (the "Real Estate").

WHEREAS, the Commission has sent to the Common Council its favorable recommendation adopted on the 15 day of April, 2002.

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 of the City of Noblesville, Indiana ("Ordinance") and the Zone Map of the Ordinance are hereby amended as follows:

SECTION 1. The Real Estate is reclassified from the R-1 Residence District Classification to the Residential Planned Development District Classification (R-1 PD) on the Zone Map.

SECTION 2. The Real Estate shall be developed for residential use, as more particularly shown on the Preliminary Planned Development Plan (the "Preliminary Plan") attached hereto as Exhibit "B". The Commission shall review and approve the Detailed Development Plan. The

development standards for the Real Estate shall be as hereinafter specified.

- A. Permitted Uses:
- (i) Detached single family dwellings and single structures and uses accessory thereto; and
 - (ii) Residential common and amenity areas along with accessory uses, structures and improvements located thereon.
- B. The gross density of the development shall not exceed 1.8 dwelling unit per acre and, therefore, the maximum number of single family residences to be constructed upon the Real Estate shall not exceed 324.
- C. The standards for the development for detached single family dwellings shall be as set forth in Exhibit C, attached hereto.
- D. Architectural Guidelines are set forth in Exhibit D, attached hereto.
- E. Modifications to the Ordinance and the Subdivision Control Ordinance (the "Subdivision Control Ordinance") of the City of Noblesville are set forth in Exhibits E and E-1, attached hereto.

SECTION 3. The development standards created by this PD Ordinance supersede the development standards of the Ordinance and the Subdivision Control Ordinance.

SECTION 5. Upon motion duly made and seconded, this PD Ordinance was fully passed by the members of the Common Council this 14 day of May, 2002.

COMMON COUNCIL, CITY OF NOBLESVILLE

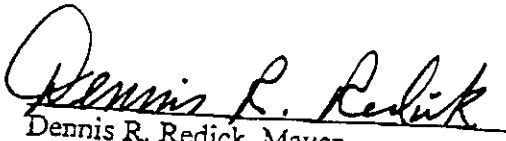
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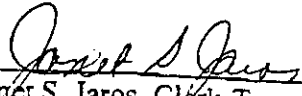
NAY

<u>James Snyder</u>	James Snyder	_____
<u>Alan Hinds</u>	Alan Hinds	_____
<u>Laurie Hurst</u>	Laurie Hurst	_____
<u>Jack Martin</u>	Jack Martin	_____
<u>Jay McCoskey</u>	Jay McCoskey	_____
<u>Dale Snelling</u>	Dale Snelling	_____
<u>Rex Dillinger</u>	Rex Dillinger	_____

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 17th day of May, 2002.


Dennis R. Redick, Mayor,
City of Noblesville, Indiana

ATTEST:


Janet S. Jaros, Clerk-Treasurer
City of Noblesville, Indiana

This Ordinance prepared by: Charles D. Frankenger, Attorney at Law
NELSON & FRANKENBERGER
3021 East 98th Street, Suite 220
Indianapolis, IN 46280

EXHIBITS ARE ON FILE IN THE CITY OF NOBLESVILLE CLERK-TREASURER'S OFFICE.

Exhibit A

Legal Description

Conner Crossing North

A part of the Northeast Quarter of Section 28, Township 19 North, Range 4 East, of the Second Principal Meridian, Noblesville Township, Hamilton County, Indiana, more particularly described as follows:

COMMENCING at the Southwest Corner of said Northeast Quarter Section; thence North 88 degrees 58 minutes 27 seconds East (Assumed Bearing) along the South Line of said Northeast Quarter Section a distance of 329.16 feet to the **POINT OF BEGINNING** and the westerly line of Mark D. Johnson's Parcel of Land; thence North 00 degrees 03 minutes 47 seconds West along the westerly line of said Johnson Parcel a distance of 2644.43 feet to the North Line of said Northeast Quarter Section; thence North 89 degrees 54 minutes 23 seconds East along said North Line a distance of 635.42 feet to the southwesterly right-of-way line of Indiana State Road # 38; thence South 60 degrees 51 minutes 17 seconds East along said right-of-way line a distance of 421.33 feet to the easterly line of Phillip N. Johnson's Parcel of Land; thence South 00 degrees 00 minutes 37 seconds West along the easterly line of said Johnson Parcel a distance of 2422.36 feet to the South Line of said Northeast Quarter Section; thence South 88 degrees 58 minutes 27 seconds West along said South Line a distance of 1000.21 feet to the **POINT OF BEGINNING**. Containing 59.758 acres, more or less.

Conner Crossing South

A part of the Southeast Quarter of Section 28, and the Northeast Quarter of Section 33, all in Township 19 North, Range 4 East, of the Second Principal Meridian, Noblesville Township, Hamilton County, Indiana, more particularly described as follows:

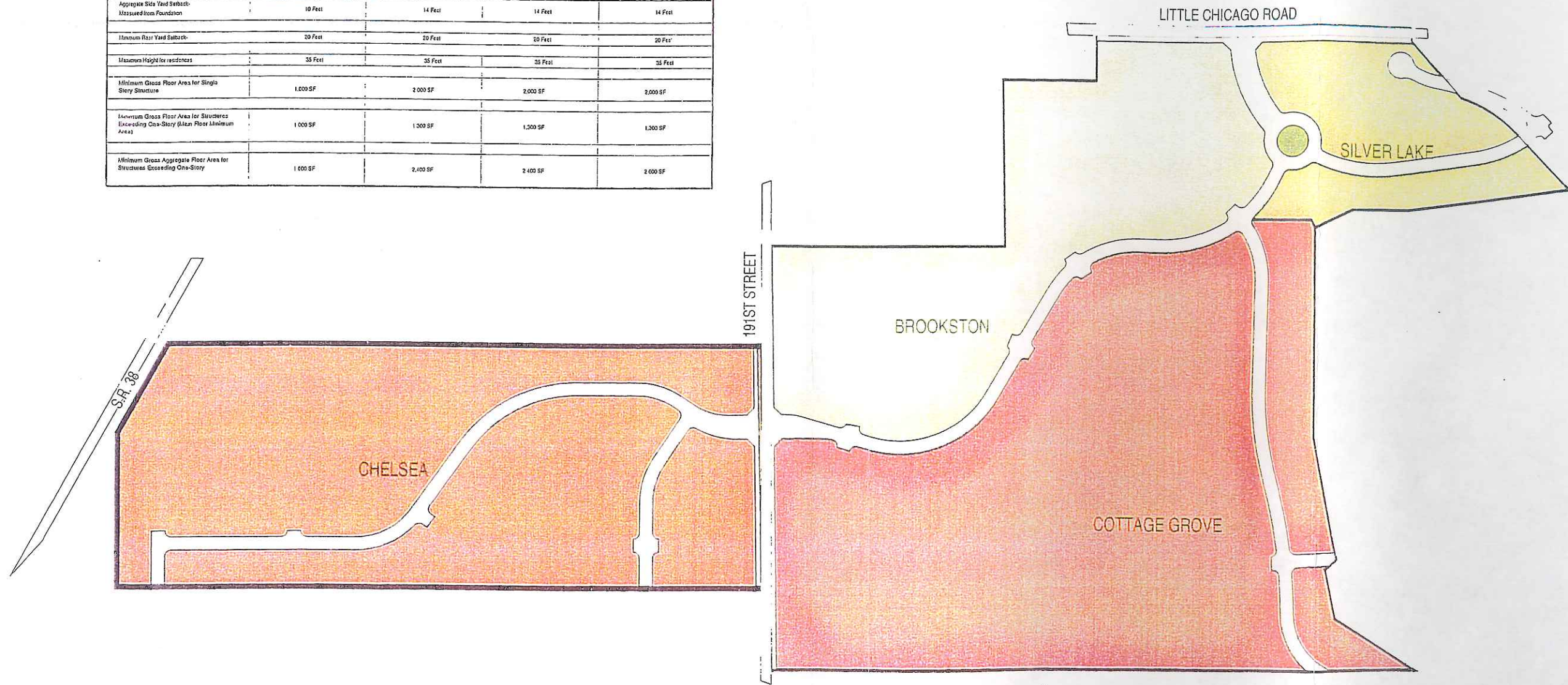
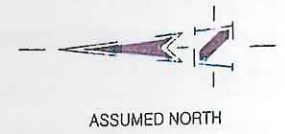
BEGINNING at the Northwest Corner of said Southeast Quarter Section; thence North 88 degrees 58 minutes 27 seconds East (Assumed Bearing) along the North Line of said Southeast Quarter Section a distance of 1744.60 feet to the easterly line of Phillip N. Johnson's Parcel of Land; thence South 00 degrees 03 minutes 47 seconds East along the easterly line of said Johnson Parcel a distance of 993.75 feet to the extension of the northerly line of Ann T. O'Toole Parcel of Land; thence North 88 degrees 58 minutes 27 seconds East along the extension of the northerly line of said O'Toole Parcel a distance of 688.70 feet to the northwesterly corner of said O'Toole Parcel; thence South 00 degrees 01 minutes 14 seconds West along the westerly line of said O'Toole Parcel a distance of 388.93 feet to the southwesterly corner of said O'Toole Parcel; thence North 88 degrees 58 minutes 27 seconds East along the southerly line of said O'Toole Parcel a distance of 224.00 feet to the East Line of said Southeast Quarter Section; thence South 00 degrees 01 minutes 14 seconds West along said East Line a distance of 1269.96 feet to the Southeast Corner of said Southeast Quarter Section; thence South 00 degrees 06 minutes 44 seconds West along the East Line of the aforesaid Northeast Quarter Section a distance of 22.24 feet to the northeasterly corner of Pebble Brook Section-Two, a Subdivision in Hamilton County, Indiana, the Secondary Plat of which is recorded as Instrument Number 8412011, Plat Book 11, Pages 62 through 65; (the following five courses being along the boundary of said Pebble Brook Section Two and the Replat thereof, which is recorded as Instrument Number 8724461, Plat Book 14, Pages 18, 19, and 20) (1) thence North 89 degrees 53 minutes 16 seconds West a distance of 50.00 feet; (2) thence South 49 degrees 01 minutes 31 seconds West a distance of 258.74 feet; (3) thence South 47 degrees 13 minutes 44 seconds West a distance of 45.10 feet to a curve having a radius of 534.42 feet, the radius point of which bears North 71 degrees 14 minutes 14 seconds West; (4) thence southwesterly along said curve an arc distance of 267.25 feet to a point which bears South 42 degrees 35 minutes 08 seconds East from said radius point; (5) thence South 47 degrees 24 minutes 53 seconds West a distance of 324.50 feet; thence North 07 degrees 48 minutes 52 seconds West a distance of 657.80 feet; thence North 00 degrees 16 minutes 27 seconds West a distance of 225.36 feet; thence North 26 degrees 11 minutes 38 seconds West a distance of 174.11 feet; thence North 90 degrees 00 minutes 00 seconds West a distance of 868.95 feet; thence South 79 degrees 08 minutes 02 seconds West a distance of 511.22 feet; thence North 44 degrees 31 minutes 49 seconds West a distance of 61.30 feet; thence South 78 degrees 28 minutes 30 seconds West a distance of 205.18 feet; thence South 33 degrees 08 minutes 53 seconds West a distance of 384.50 feet to the West Line of said Northeast Quarter Section; thence North 00 degrees 03 minutes 47 seconds West along said West Line a distance of 2650.97 feet to the **POINT OF BEGINNING**. Containing 129.239 acres, more or less.

Comprising a total acreage of 188.997 acres.

EXHIBIT B

LOT AREA REQUIREMENT TABLE

	BROOKSTON	SILVER LAKE	COTTAGE GROVE	CHELSEA
Minimum Lot Width at Setback Line	65' for all lots, except lots on cul de sacs, which may be less than 65'	90' for all lots, except lots on cul de sacs, which may be less than 90'	90' for all lots, except lots on cul de sacs, which may be less than 90'	100' for all lots, except lots on cul de sacs, which may be less than 100'
Minimum Lot Frontage on Right of Way	25 Feet	25 Feet	25 Feet	25 Feet
Minimum Lot Area	8,000 SF	12,000 SF	12,500 SF	12,500 SF
Minimum Front Yard Setback	25 Feet	25 Feet	30 Feet	30 Feet
Minimum Side Yard Setback - Measured from Foundation	5 Feet	7 Feet	7 Feet	7 Feet
Aggregate Side Yard Setback - Measured from Foundation	10 Feet	14 Feet	14 Feet	14 Feet
Minimum Rear Yard Setback	20 Feet	20 Feet	20 Feet	20 Feet
Maximum Height for residences	35 Feet	35 Feet	25 Feet	35 Feet
Minimum Gross Floor Area for Single Story Structure	1,000 SF	2,000 SF	2,000 SF	2,000 SF
Minimum Gross Floor Area for Structures Exceeding One-Story (Mean Floor Minimum Area)	1,000 SF	1,300 SF	1,500 SF	1,300 SF
Minimum Gross Aggregate Floor Area for Structures Exceeding One-Story	1,000 SF	2,100 SF	2,400 SF	2,000 SF



Conner Crossing lot bulk area requirements

12821 E. New Market Street Suite 100 Carmel, IN 46032 Telephone: 317.569.8112 Fax: 317.826.6410 web: www.schneidercorp.com

PRELIMINARY / CONCEPTUAL
ACTUAL CONFIGURATION OF
STREETS & LOTS MAY VARY.

EXHIBIT "C" - CONNER CROSSING DEVELOPMENT STANDARDS

	BROOKSTON	SILVER LAKE	COTTAGE GROVE	CHELSEA
Minimum Lot Width at Setback Line	65 feet for all lots except those on cul-de-sacs which may be less than 65 feet	90 feet for all lots except those on cul-de-sacs which may be less than 90 feet	90 feet for all lots except those on cul-de-sacs which may be less than 90 feet	100 feet for all lots except those on cul-de-sacs which may be less than 100 feet
Minimum Lot Frontage on Right of Way	25 feet	25 feet	25 feet	25 feet
Minimum Lot Area	8,000 SF	12,000 S.F.	12,500 S.F.	12,500 S.F.
Minimum Front Yard Setback	25 feet	25 feet	30 feet	30 feet
Minimum Side Yard Setback - Measured From Foundation	5 feet	7 feet	7 feet	7 feet
Aggregate Side Yard Setback - Measured From Foundation	10 feet	14 feet	14 feet	14 feet
Minimum Rear Yard Setback	20 feet	20 feet	20 feet	20 feet
Maximum Height for Residences	35 feet	35 feet	35 feet	35 feet
Minimum Gross Floor Area for Single Story Structure	1,800 SF	2,000 SF	2,000 SF	2000 SF
Minimum Gross Floor Area for Structures Exceeding One-Story (Main Floor Minimum Area)	1,000 SF	1,300 SF	1,300 SF	1,300 SF
Minimum Gross Aggregate Floor Area for Structures Exceeding One-Story	1,800 SF	2,400 SF	2,400 SF	2,600 SF

Village names are derived from the names of Indiana Cities and Towns. Names are subject to change and are used as reference for purposes of these development standards.

Exhibit "D"

Architectural Guidelines

The developer will establish an Architectural Review (the "Architectural Review Committee") to evaluate all proposed home plans, elevations, site plans and landscape plans. The following will be used as Architectural guidelines for approval of all residences within Conner Crossing.

1. **Siding:** Except for historically significant architectural styles, including without limitation, cape cods and salt boxes, brick shall be used on the first floor exterior, with some limited break (e.g.- at entries or porches) in material to add interest to the facade. Brick, wood or composite siding will be permitted on the second story exterior. No T-111 siding is permitted.

2. **Windows and Architectural Breaks:** For subdivisions within Conner Crossing that have at least 90 feet of frontage (e.g. - Brookston and Cottage Grove), single-family detached structures shall have windows on all four (4) sides.

In subdivisions with less than 90 feet of frontage, windows will occur on at least three (3) sides, with the front being one of the required sides. In the event that a fourth side does not have a window, it shall have at least two (2) architectural breaks, such as a chimney or other corner break. The outermost corners of the dwelling shall not be counted as architectural breaks to meet this requirement.

3. **Mailboxes:** A standard mailbox and post will be used in each Subdivision. There may be variation between subdivisions within Conner Crossing. To assure that standard mailboxes are installed, the Lot purchaser will pay for the cost of mailbox, post and installation at the time of closing and homeowners will be made responsible for proper upkeep of the post and mailbox.

4. **Street Address:** A standard address stone will be installed on each residence. The Lot purchaser will pay for the address block at the time of closing to assure that this requirement is uniformly administered.

5. **Roof Overhang:** Each single-family residence shall have eaves of a minimum 8-inch overhang; however, the majority (51%) will have 12-inch eaves and overhangs.

6. **Chimney:** Chimneys occurring on the perimeter of the house will be required to be brick, stone or stucco (if house is stucco). All other chimneys may have other acceptable treatments such as stucco. No wood covered chases will be permitted.
7. **Driveways:** Concrete driveways are required; however, properly installed concrete or brick pavers may be acceptable with Architectural Review Committee approval.
8. **Exterior Colors:** Exterior color selection shall be submitted and approved prior to exterior materials being installed. Exterior colors shall be in harmony with the development of the real estate and acceptable colors shall generally be defined as in the earth tones and other traditional colors.
9. **Minimum Roof Pitch:** The minimum roof pitch shall be 6/12 pitch. The Architectural Review Committee may make special exceptions for porches and covered walks.
10. **Roofing:** All residences shall be roofed with architectural grade shingles, which shall have a greater texture than standard 3 tab shingles. Copper and metal roofing may be acceptable with Architectural approval. Diversity of roof form and design having varied pitches will be encouraged.
11. **Streetlights:** At the Developer' discretion, custom and/or architectural streetlights may be substituted for standard streetlights specified in the Subdivision Control Ordinance of the City of Noblesville, Indiana. Streetlights will be installed at the intersections of public streets internal to the community.
12. **Dusk to Dawn Lights:** A standard 70-watt dusk-to-dawn yard lamp shall be purchased from the developer at the time the lot is closed and shall be installed by the builder. The following page illustrates the style of lamp to be used. Once installed the homeowner will be held responsible for proper maintenance of the light.
13. **Elevations:** In Subdivisions within Conner Crossing having 90 foot wide lots or greater, single-family residences with identical or substantially similar building elevations shall not be located on adjacent lots or directly across the street from one another in order to encourage diversity in the streetscape.

For those Subdivisions within Conner Crossing having less than 90 foot frontages, where a single house design is used repeatedly, materials and detailing of the major facade elements shall be varied from lot to lot.

In general, design elements and detailing shall be continued completely around the structure. Such design elements shall include, but are not limited to, window, window placement, trim detailing, and exterior wall materials. Long, massive, unbroken exterior building walls shall be avoided.

14. **Clubhouse:** The maximum height of the clubhouse shall not exceed 45 feet.
15. **Entryway Features:** The entry features from major roads shall share a common design theme to tie the Conner Crossing Development together. Entry features will be landscaped and illuminated. Signage will identify the Conner Crossing development entries.
16. **Internal Signage:** Because Conner Crossing is 184 acres and is composed of multiple subdivisions, each subdivision will be identified at strategic locations within the total community.
17. **Ridgelines:** Various lengths and heights of ridges will be encouraged for diversity in elevations. Certain historical designs or elevations will contain only one main ridgeline per rectangular living area. These historical architectural elevations will not be precluded in order to encourage diversity of architectural styles within the community.
18. **Foundations:** All basement foundations will be constructed of poured concrete. For crawl space foundations and/or garage foundations, poured walls or concrete block walls are acceptable. No slab foundations will be constructed.
19. **Garage Doors:** Single 9 foot x 7 foot garage doors will be preferred over single 16 foot garage doors, although 16 foot doors may be allowed under special approval by the Conner Crossing Architectural Review Committee.

20. **Front Load Garage:** In those communities within Conner Crossing that utilize 90 foot wide lots or greater frontage, front load garages shall represent no greater than ten percent (10%) of the total number of units within that community of Conner Crossing. Front load garages shall be permitted in those communities of Conner Crossing having less than 90 feet of frontage.
21. **Equipment Vents:** Vents will be located so as to be minimally visible from the street frontage and will be color-coded to match the trim or roofing materials.
22. **Landscaping:** A landscape plan shall be submitted to the Architectural Review Committee for all new residential construction. The Architectural Review Committee shall rigorously emphasize adequate landscaping of the front yard.

The minimum standard for the front yard shall be:

Two (2) trees measuring at least 2 1/2 inch caliper at the time of installation and of a specie from an approved list created by the developer.

20 shrubs

Landscaping of the side and rear yards will be reviewed when submitted but ultimately is left to the discretion of the builder/owner.

23. **Exterior Materials:** Exterior materials shall be limited to brick, wood, natural stone, stucco, EIFS, cultured stone, an concrete fiber (Hardy-Plank or similar product). Aluminum or vinyl siding are prohibited, but vinyl clad windows and/or soffets are permitted.

Exhibit E

Conner Crossing: Modifications to Ordinance and Subdivision Control Ordinance

- 1. The 50 foot peripheral yard shall not be required in areas where it is not shown on Exhibit 'E-1'.**
- 2. Permanent common open space shall be a minimum of 15% of the gross acreage.**
- 3. The minimum Centerline radii for a horizontal curve of rights-of-way shall be 150 feet.**
- 4. The minimum tangent distance between reverse curves of rights-of-way shall be 50 feet.**
- 5. Private streets shall be permitted for "eyebrow" streets. Private streets shall neither be dedicated by the owner nor accepted by the City of Noblesville for maintenance, and shall be maintained by the Conner Crossing Homeowners' Association.**

EXHIBIT E-1

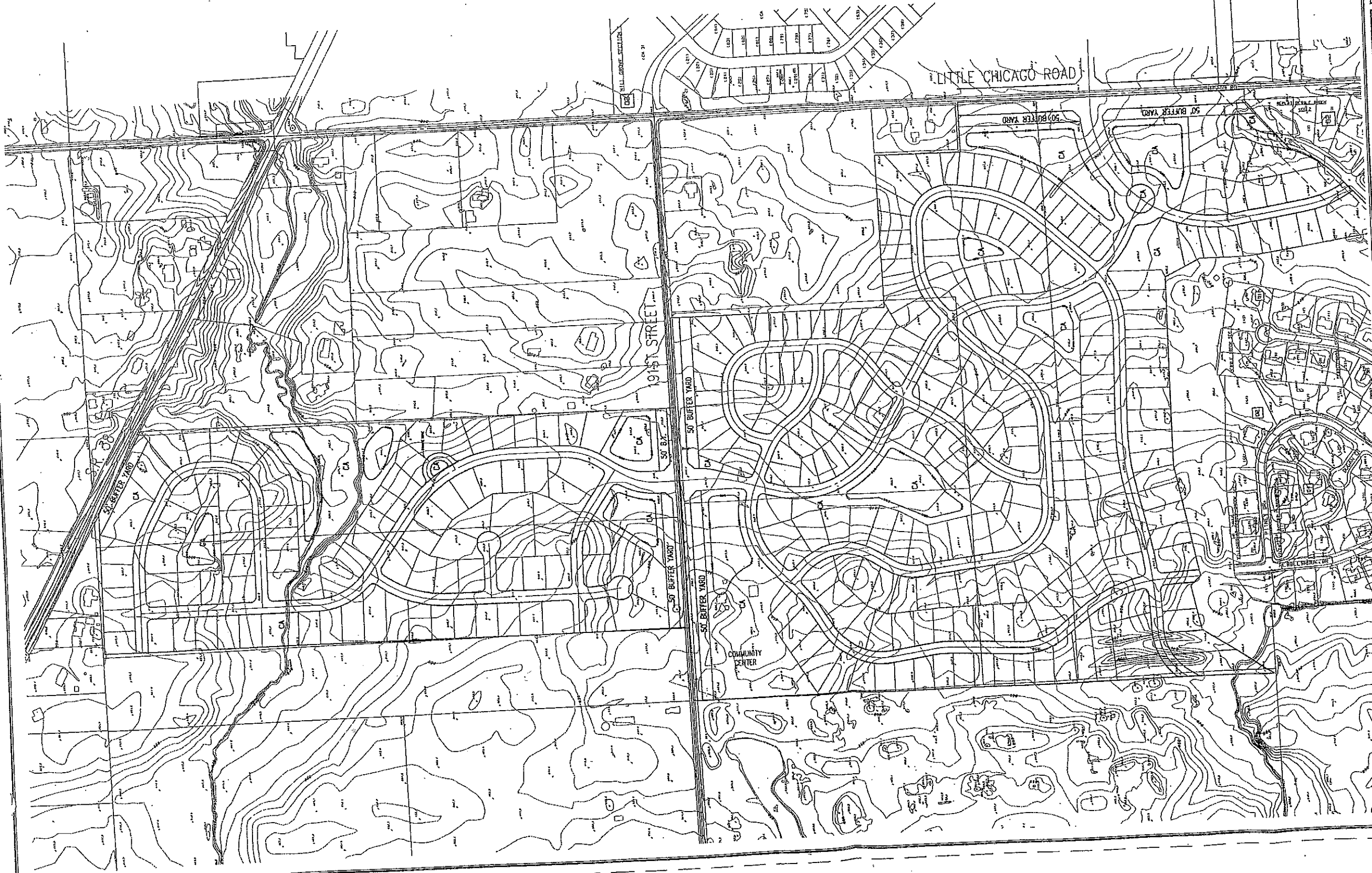
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DAYS BEFORE COMMENCING WORK.



REVISIONS

DATE: _____
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CONNER CROSSING
NOBLESVILLE, INDIANA
PRIMROSE DEVELOPMENT
445 CRADLE DRIVE, CARMEL, IN 46032

DATE: 03/13/02	PROJECT NO.: 3659.001
DRAWN BY: DCC	CHECKED BY:
PRELIMINARY- DEVELOPMENT PLAN	
DRAWING FILE: \\S:\L\3659\3659\PI01.DWG (REV: 3659-05-A.DWG) PROJ: 0510P.DWG	

SHEET NO.:
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