

37.00
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2010023886 ORDINANCE \$37.00
06/01/2010 11:08:23A 14 PGS
Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 14-4-10

Cross Reference – 200200087369

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

This is an ordinance (the “PUD Ordinance”) to amend the Unified Development Ordinance for the City of Noblesville, Hamilton county, Indiana (the “City’s Development ordinance”), 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 has conducted a public hearing on Application 10N-15-0232 as required by law in regard to the application for an amended change of zone district designation filed by Prairie Development LLC (“PDLLC”); and,

WHEREAS, the Plan Commission at their April 19, 2010 meeting sent its favorable recommendation to the Noblesville Common council by a vote of 10 in favor and 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 Unified Development Ordinance for said City and the Official Zone Map of said Ordinance are hereby amended as follows:

SECTION 1. The subject real estate (the “Real Estate”), more particularly described in “Exhibit 1” attached hereto, is located generally at the southwest corner of Allisonville Road and State Road 37, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana.

SECTION 2. The preliminary development plans attached hereto as “Exhibit E,” the development guidelines attached hereto as “Exhibit D” are adopted as part of this ordinance and replace the Development Standards of Detached Single Family Dwellings

and Development Standards for Highlands Prairie approved in 2002 with the Highlands Prairie Development Planned Development Ordinance. Nothing in this ordinance alters or changes the standards established in the approved 2002 Highlands Prairie Planned Development with regard to the exhibit entitled "Architectural Guidelines" and those standards shall continue to apply to existing and future homes and lots within the development unless altered at some future date.

SECTION 3. All uses allowed in the R1 District are allowed within this development.

SECTION 4. This Planned Development Ordinance, its exhibits and the preliminary development plan approved by the Plan Commission (collectively, the "PD Standards") permit variations from the development standards, specifications, guidelines and/or requirements (collectively, the "Standards") contained in the City's Development Ordinance. The PD Standards established under this ordinance supersede the Standards in the City's Development Ordinance to the extent the ordinance and exhibits vary, alter or modify the Standards in the City's Development Ordinance. The standards and conditions of the 2002 approval shall remain in effect unless varied, altered, or modified by this ordinance. The Standards in the City's Development ordinance, however, shall apply to the extent that this application, or the 2002 approval, do not vary, alter or modify them.

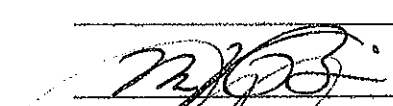
SECTION 5. This ordinance shall be in full force and effect from and after its passage and approval.

SECTION 6. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 11th day of May, 2010.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

Aye

Nay



Brian Ayer

Mark Boice

Roy Johnson

Greg O'Conner

Mary Sue Rowland

Dale Snelling

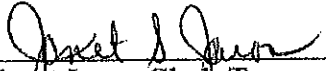
Stephen C. Wood

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 11th day of May, 20010.



John Ditslear, Mayor
City of Noblesville, Indiana

ATTEST:



Janet Jaros, Clerk-Treasurer
City of Noblesville, Indiana

Prepared by:
NorthStar Land Entitlement and Development Services
Chris Hamm
23 S. 8th Street, Suite 300
Noblesville, IN 46060
317-910-1073

Prairie Development LLC

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.
Michael A. Howard

EXHIBIT 1

LEGAL DESCRIPTION

Perimeter LAND DESCRIPTION - Highlands Prairie

A part of the North Half of Section 29 and a part of the South Half of Section 20, both in Township 19 North, Range 5 East of the Second Principal Meridian, situated in Noblesville Township, Hamilton County, Indiana, and being more particularly described as follows:

Commencing at the Southwest corner of the Northwest Quarter of said Section 29, Township 19 North, Range 5 East; thence North 00 degrees 00 minutes 00 seconds East (basis of bearings) along the West line of said Northwest Quarter 740.63 feet; thence North 90 degrees 00 minutes 00 seconds East along the south line of Mallery Drive 470.00 feet to the Southeast corner of Craig Highlands Fourteenth Section recorded in Plat Book 7, Page 73 in the Office of the Recorder of Hamilton County, Indiana; thence North 00 degrees 00 minutes 00 seconds East along the East line of said Craig Highlands Fourteenth Section and the East line of Wagon Trail Drive 499.38 feet to the **POINT OF BEGINNING** of this description;

thence continuing North 00 degrees 00 minutes 00 seconds East along said East lines 350.62 feet to the point of curvature of a tangent curve to the right, said curve having a radius of 550.00 feet and being subtended by a long chord bearing North 03 degrees 18 minutes 20 seconds East 63.43 feet; thence Northerly along said curve to the right through a central angle of 06 degrees 36 minutes 40 seconds an arc distance of 63.46 feet to the Northeast corner of said Craig Highlands Fourteenth Section; thence North 83 degrees 23 minutes 20 seconds West along the North line of said Craig Highlands Fourteenth Section, 234.18 feet to a concrete monument at the Northwest corner of said Craig Highlands Fourteenth Section, said point being on the East line of Craig Highlands Twelfth Section as recorded in Plat Book 5, Page 88 of said recorders office; thence North 00 degrees 00 minutes 00 seconds East along the East lines of said Craig Highlands Twelfth Section and Craig Highlands Seventh Section as recorded in Plat Book 3, Page 14 of said recorders office 589.05 feet to the Northeast corner of said Craig Highlands Seventh Section and a point on the South line of Craig Highlands Sixth Section as recorded in Plat Book 2, page 264 in said recorders office; thence North 80 degrees 45 minutes 05 seconds East parallel with the center line of State Road No. 37A (Allisonville Road) per Project 313, dated 1933, sheet 7 of 151 therein along the South line of said Craig Highlands Sixth Section and Craig Highlands Fifth Section as recorded in Plat Book 2, Page 254 in said recorders office 1305.12 feet to the Southwest corner of Craig Highlands Eighth Section recorded in Plat Book 3, Page 69 in said recorders office; thence North 72 degrees 05 minutes 35 seconds East along the South line of said Craig Highlands Eighth Section 390.20 feet to the Southeast corner of said Craig Highlands Eighth Section; thence North 17 degrees 17 minutes 25 seconds West along the East line of said Craig Highlands Eighth Section 240.32 feet to a point on the center line of said Allisonville Road, said point being on a non-tangent curve to the left, having a radius of

5729.60 feet and being subtended by a long chord bearing North 72 degrees 11 minutes 48 seconds East 100.00 feet; thence Northeasterly along said center line and along said curve to the left through a central angle of 01 degrees 00 minutes 00 seconds, an arc distance of 100.01 feet; thence South 17 degrees 17 minutes 25 seconds East 181.52 feet; thence North 88 degrees 46 minutes 59 seconds East 708.11 feet to the Northeast corner of the northwest quarter of said section; thence along east line of said northwest quarter South 00 degrees 02 minutes 52 seconds West 200.89 to a point on the westerly right-of-way of said State Road No. 37, said point being on a non-tangent curve to the left having a radius of 3907.16 feet and being subtended by a long chord bearing South 38 degrees 44 minutes 52 seconds West 1391.76 feet; thence Southwesterly along said right of way line and said curve to the left through a central angle of 20 degrees 31 minutes 07 seconds an arc distance of 1399.22 feet to the Northeast corner of a five acre tract of ground currently in the name of the Roman Catholic Diocese of Lafayette-in-Indiana; thence South 90 degrees 00 minutes 00 seconds West along the North line of said five acre tract 1144.91 feet to the Northwest corner of said five acre tract; thence South 00 degrees 00 minutes 00 seconds East along the West line of said five acre tract 175.10 feet; thence South 90 degrees 00 minutes 00 seconds West 200.00 feet to the **POINT OF BEGINNING**.

Containing 48.710 acres, more or less.

EXHIBIT D

Highlands Prairie Development Guidelines

The following guidelines replace, in their entirety, the requirements established in the UDO in the event that the standards are contradictory. This development consists of 116 residential lots on 48.71 acres of gently rolling terrain:

1. Home Types

This will be a community of single family detached homes, one and two story with two car garages.

2. Site Access

The property will be located at two full access points, one north to Allisonville Road and the other being a continuation of Wagontrail Drive to the south.

3. Street Lights

Street lights will be installed at all interior street intersections and at the entrances to the community at a minimum.

4. Rear Yards

The majority of rear yards will face a common area allowing for more back yard privacy.

5. State Road 37 Buffer

The exterior of the community, as it relates to State Road 37, will be buffered by mounding that will be eight feet tall from existing grade. This mounding will blend into the existing trees on the property perimeter.

Landscaping shall consist of spruce or pine trees, a minimum of six (6) feet tall, spaced approximately every 18 feet of the boundary. Such plantings may be staggered or clustered. Four shrubs grouped together may substitute for one tree. The Noblesville Planning Department shall approve the location or substitution of plantings. Landscaping shall also include native grasses and wildflowers.

6. 50 foot PD Buffer

The 50' Buffer between existing homes shall be landscaped with native grasses, wild flowers and trees. This buffered area will have 105 spruce or pine trees, a minimum of six (6) feet tall, planted approximately one for every 30 linear feet of boundary.

Such planting can be staggered or clustered to provide adequate screening. A planting of four shrubs, grouped together, can be substituted for a tree. The Noblesville Planning Department shall approve the location or substitution of plantings.

7. Common Area

The common areas cover 16 acres, and approximately 33% of the development. Common areas B, D, and F will be used as dry detention areas. Block A is common area; Block C and Block K are part of the required 50 foot buffer and landscape easement.

8. Lot and Building Standards

Minimum Lot width -- 65'

Minimum Lot Size -- 7700 square feet

Minimum front building setback -- 25'

Minimum Aggregate Side Yard setback -- 10' (measured from foundation)

Minimum Side Yard setback -- 5' (measured from foundation)

Minimum Rear Yard setback -- 20'

Maximum Building Height for Residences -- 35'

Minimum Gross Floor Areas -- 1600 square feet

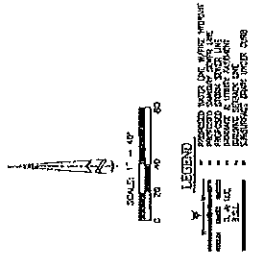
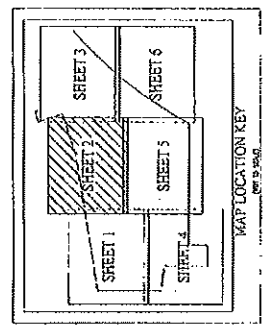
**PRELIMINARY DEVELOPMENT PLAN
HIGHLANDS PRAIRIE
ALLISONVILLE ROAD & STATE ROAD 37
FEBRUARY 26, 2010**

19305 N. Collins Avenue
Indianapolis, Indiana 46230
317.616.6611
317.616.6100
317.616.6549
www.whiteengineers.com

WHITE ENGINEERS
PLANNING & ENGINEERING

Professional Engineer
No. 2052007
State of Indiana
Exp. 12/31/11

HIGHLANDS PRAIRIE
PRELIMINARY DEVELOPMENT PLAN
2 of 6



NOTES:
1. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
2. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
4. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.
5. ALL DISTANCES ARE TO CENTERLINE UNLESS OTHERWISE NOTED.

ZONING - PD

DEVELOPMENT SUMMARY TABLE

ACRES TO BE DEVELOPED	118
TOTAL ACRES (A-C)	42.75
ACRES TO BE DEVELOPED (A-C)	2.25
ACRES TO BE DEVELOPED (A-C)	20.17
ACRES TO BE DEVELOPED (A-C)	20.17
ACRES TO BE DEVELOPED (A-C)	0

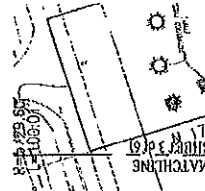
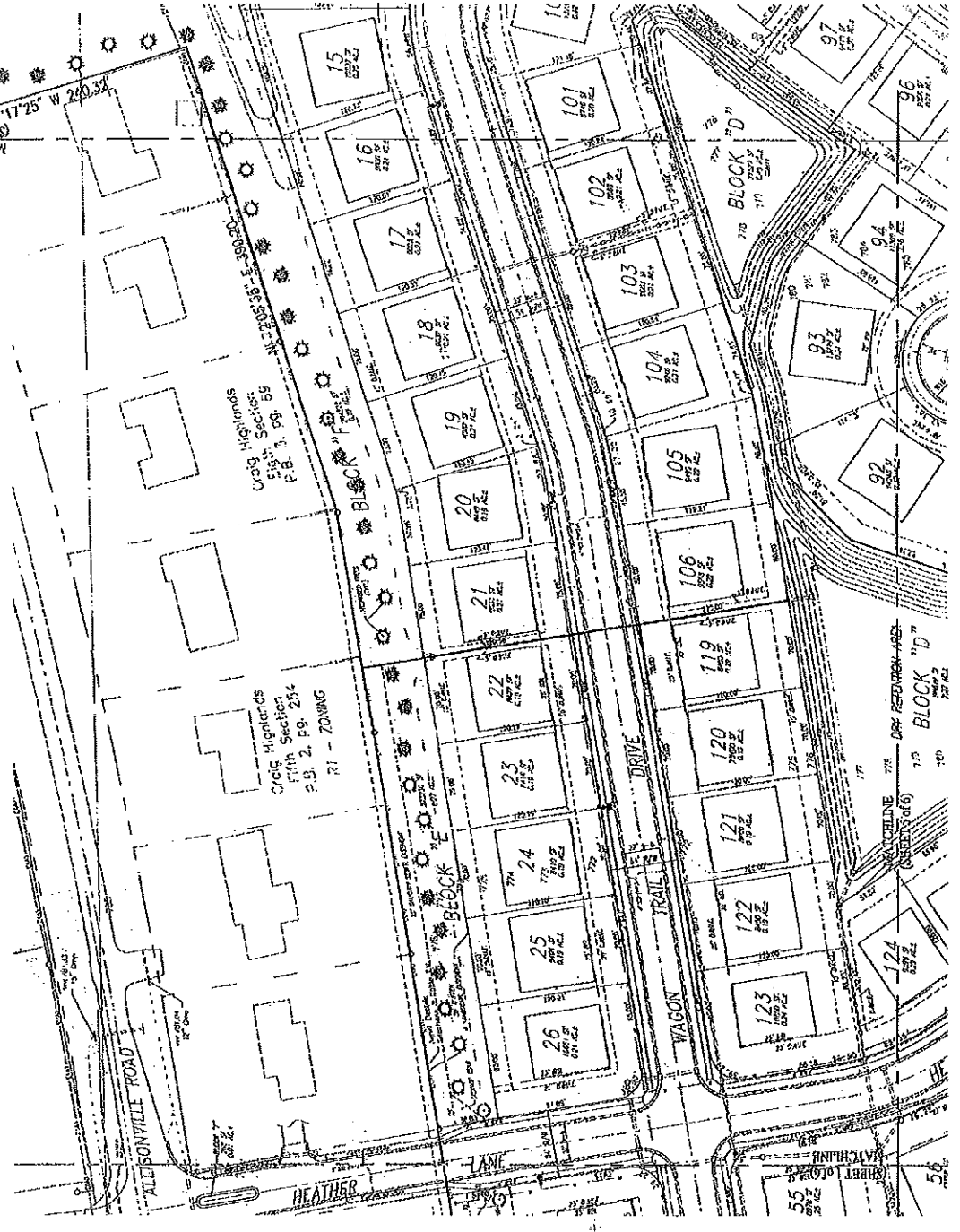
PLANS PREPARED FOR:
MR. JAMES L. HARRIS
1111 N. COLLETS AVENUE
INDIANAPOLIS, IN 46230
TEL: 317.616.6611

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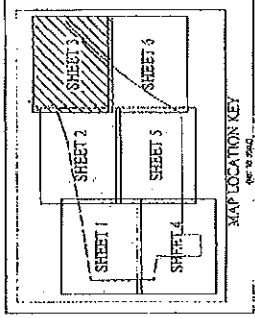
PLEASE NOTE:
THIS PLAN IS A PRELIMINARY DEVELOPMENT PLAN AND IS NOT A FINAL PLAN. IT IS SUBJECT TO THE APPROVAL OF THE CITY OF INDIANAPOLIS. THE CITY ENGINEER'S OFFICE SHALL REVIEW THIS PLAN AND SHALL HAVE THE FINAL SAY AS TO WHETHER OR NOT THIS PLAN IS APPROVED. THE CITY ENGINEER'S OFFICE SHALL NOT BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS IN THIS PLAN.



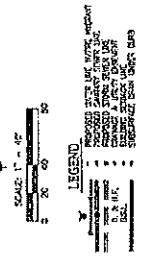
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**PRELIMINARY DEVELOPMENT PLAN
HIGHLANDS PRAIRIE
ALLISONVILLE ROAD & STATE ROAD 37
FEBRUARY 26, 2010**



WHITE ENGINEERS
Professional Land Engineering
1093 N. Collins Avenue
Ft. Lauderdale, Florida 33309
Tel: 954-571-1111
Fax: 954-571-1112



NOTES:
1. SEE SHEETS 1, 2, 3, 4 AND 5 FOR THE ENTIRE DEVELOPMENT.
2. THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY OF FT. LAUDERDALE.
3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
4. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES.
5. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION CONTROL MEASURES.

ZONING - TD

DEVELOPMENT SUMMARY TABLE

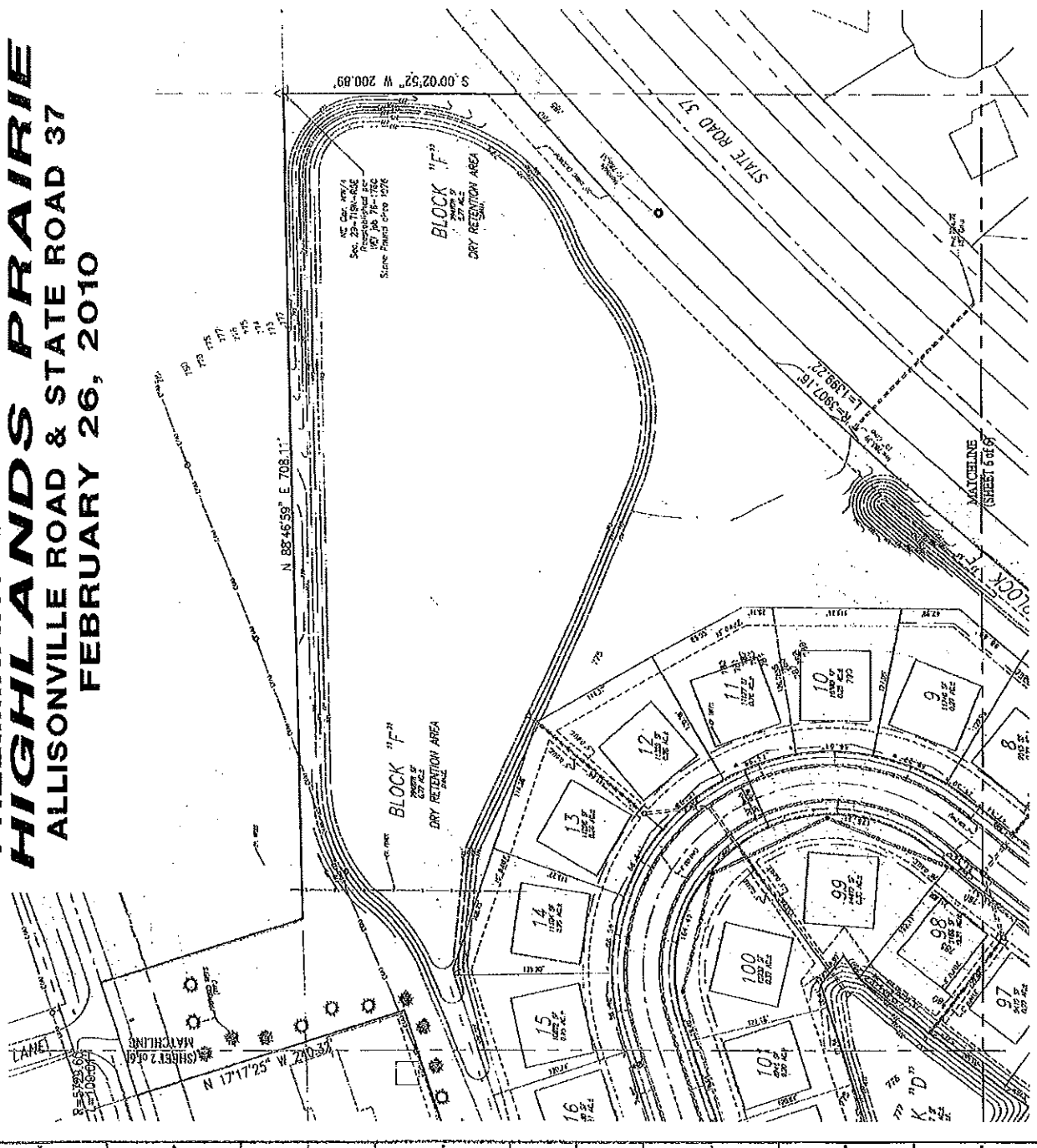
ACRES OF LOT	114
TOTAL ACRES (64)	6270
ACRES TO BE DEVELOPED (64)	2,281
PERCENT OPEN SPACE	63.57%
TOTAL ACRES (64)	2,281
TOTAL ACRES (64)	2,281

PLANS PREPARED FOR:
MRS. J. M. HARRIS
1093 N. COLLINS AVENUE
FORT LAUDERDALE, FL 33309
TEL: 954-571-1111

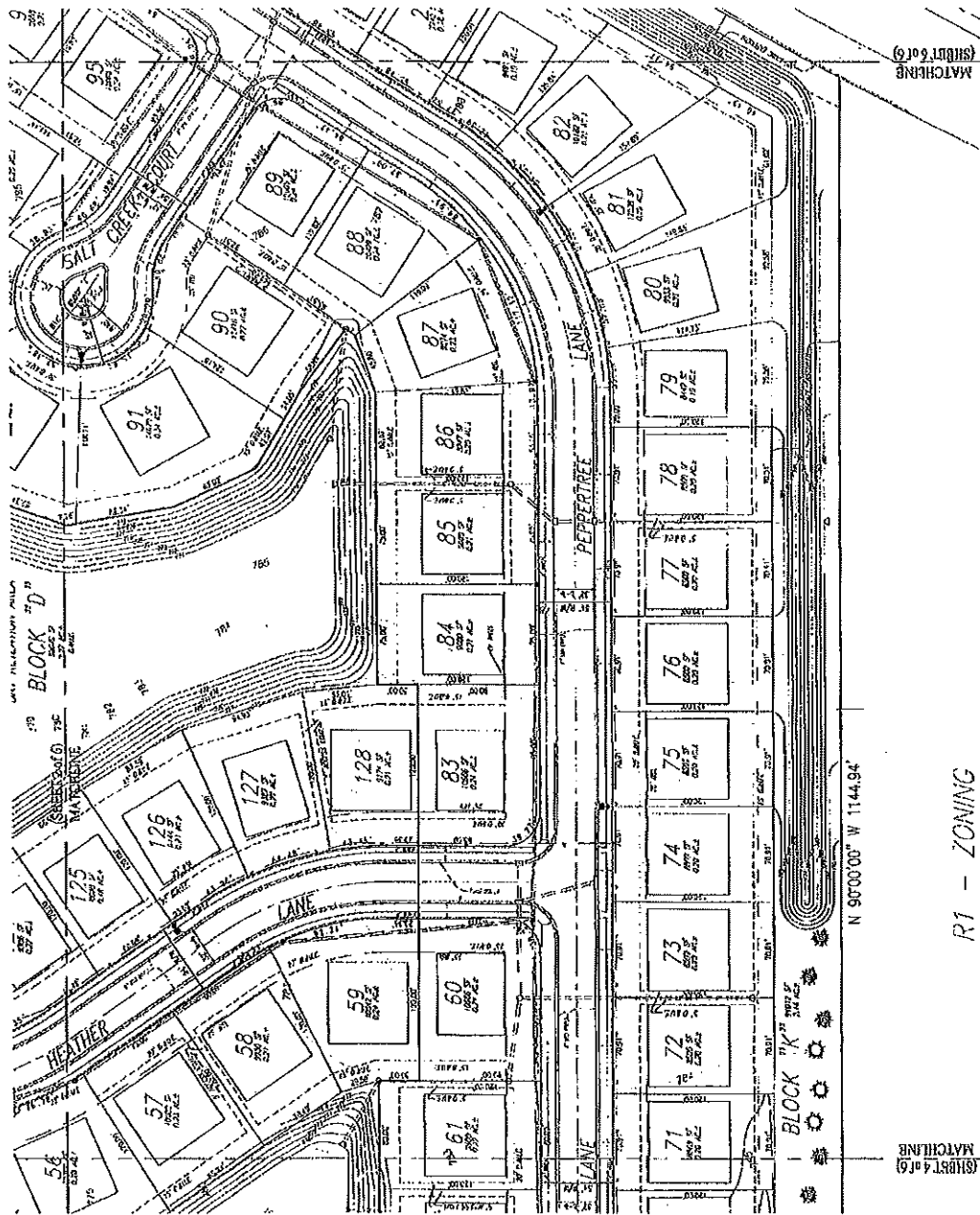


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NOTICE:
THIS PLAN IS SUBJECT TO THE APPROVAL OF THE CITY OF FT. LAUDERDALE.
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS.
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY UTILITIES.
THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY EROSION CONTROL MEASURES.



**PRELIMINARY DEVELOPMENT PLAN
 HIGHLANDS PRAIRIE
 ALLISONVILLE ROAD & STATE ROAD 37
 FEBRUARY 26, 2010**



MATCHLINE
 SHEET 4 of 6

R1 - ZONING

N 90°00'00" W 1144.94'

MATCHLINE
 SHEET 5 of 6



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 10705 N. Calder Avenue
 Lincoln, NE 68524
 402.441.7200
 www.weihe.com

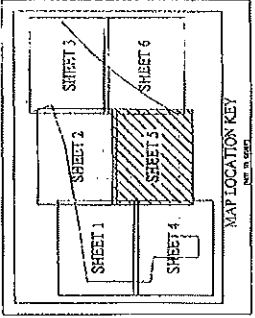
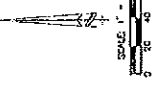
DEVELOPMENT SUMMARY TABLE

NUMBER OF LOTS	AREA (AC)
114	48.73
100	3.74
100	14.37
100	22.11
100	0
100	0

ZONING - PD

NOTES:
 1. THE PROPERTY SHOWN ON THIS PLAN IS THE PROPERTY OF THE CITY OF LINCOLN, NEBRASKA.
 2. THE CITY OF LINCOLN, NEBRASKA, HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LINCOLN, NEBRASKA, ZONING ORDINANCE.
 3. THE CITY OF LINCOLN, NEBRASKA, HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LINCOLN, NEBRASKA, SUBDIVISION ACT.
 4. THE CITY OF LINCOLN, NEBRASKA, HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LINCOLN, NEBRASKA, PLANNING AND ZONING COMMISSION.
 5. THE CITY OF LINCOLN, NEBRASKA, HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LINCOLN, NEBRASKA, PLANNING AND ZONING COMMISSION.
 6. THE CITY OF LINCOLN, NEBRASKA, HAS REVIEWED THIS PLAN AND HAS DETERMINED THAT IT IS IN CONFORMANCE WITH THE CITY OF LINCOLN, NEBRASKA, PLANNING AND ZONING COMMISSION.

LEGEND:
 - - - - - UNIMPROVED LOTS
 - - - - - IMPROVED LOTS
 - - - - - EASEMENTS
 - - - - - UTILITY LINES
 - - - - - PROPERTY LINES
 - - - - - STREETS
 - - - - - DRIVEWAYS
 - - - - - SIDEWALKS
 - - - - - FENCES
 - - - - - OTHER



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5 of 6
 HIGHLANDS PRAIRIE
 PRELIMINARY DEVELOPMENT PLAN
 FEBRUARY 26, 2010

Architectural Guidelines

General - The consistent architectural theme will be recognizable architectural style that epitomize the quality and warmth of the past. The homes exterior dwelling will provide columns, pilasters, corner boards and shutters, roof brackets, distinctive window framing and blocky tapered columns with a variety of external facades. These facades will be a combination of siding, siding and brick, and siding and stone, which will be in keeping with these classic architectural styles.

Roof Form - Roof form will include both hip and gable roofs and for sound architectural detailing, pitch and ridge levels will be varied.

Architectural Grade Shingles - All residences shall be roofed with dimensional fiberglass roof shingles, which shall have greater texture than standard shingles. Metal roofs are also permitted on porches and certain eave details.

Minimum Roof Pitch - The minimum roof pitch for all residences shall be six (6) to twelve (12). Exceptions will be permitted at porches, saddles and crickets as long as they are in keeping with the overall architectural form.

Roof Overhang - Each single-family residence shall have gable rake overhangs of a minimum 8" and a minimum of 12" overhang at the eaves.

Driveways - All driveways will be constructed of hard surface material of either concrete or asphalt.

Siding - The type of exterior siding allowed will be fiber cement siding (James Hardie™ or similar) or wood. Varieties of fiber cement or wood siding will include a combination of horizontal, vertical, shakes and clapboard. No vinyl or aluminum siding materials of any type will be permitted.

Windows - Single-family dwellings shall have windows on all four sides. The minimum number of windows on any facade shall be three (3) or more. The only exception will allow for a decorative architectural vent to replace one (1) window on each side elevation.

Exterior Colors - The exterior colors shall be in harmony with the development of the real estate and shall include earth tones and other traditional colors. The exterior of each home shall have a minimum of three (3) colors.

Mailboxes - All mailboxes shall be uniform in design, coloring, lettering and numbering.

Street Number - The number of street address of each single-family dwelling shall be placed on both the single-family dwelling and the mailbox for that single-family dwelling. All such numbering shall be of uniform design, coloring, and numbering. The number attached to the single-family dwelling shall be a stone address block or metal numbers.

Dusk to Dawn Lights - The builder on each lot shall supply and install coach lights on each side of the garage door. The lights shall be controlled by a photoelectric cell or similar device to ensure automatic illumination from dusk to dawn.

Elevations - Single-family residences with identical or substantially similar building elevations shall not be located on adjacent lots. Where a single house design is used repeatedly, materials and detailing of major facade elements shall be varied from lot to lot. Also, the exact home elevations will not be built directly across the street from one another. HVAC and plumbing vents will be located where practicable on rear of homes or painted black.

Street Trees and Residential Landscaping - Front yard will be sod. Side and rear yard will be seed and straw, hydro seed, or sod. Front yard shall have one (1) ornamental tree, one (1) 2½" caliper shade tree, and ten (10) shrubs. Rear yard shall have one (1) 1½" caliper shade tree.

Street trees shall be provided between the curb and sidewalk in accordance with the City of Noblesville Street Tree Ordinance. Street trees shall be provided at a rate of one (1) per lot or a maximum of every forty (40') to sixty (60') feet. Street trees shall be a minimum of 2½" caliper.

All side exterior walls that address a public street shall receive the same foundation planting treatment as committed to for the front elevation of the home. Each corner lot shall have sod facing each public street to the building line.

Corner Lots - All corner lots shall have side load garages. Two (2) additional windows will be added with shutters or other architectural details to the front elevation of the home in place of the overhead garage door. Landscape requirements as listed above.

Fencing - No fencing will be permitted during the original construction of the home. After occupancy the homeowner can apply to the Architectural Review Committee for fence approval. Fences will be limited to a certain height and style. No fencing will be installed on any lot without the prior review and approval of the Architectural Review Committee of Highlands Prairie Homeowners Association.

Front and side yard fencing will be limited to white picket designs a maximum of forty-two (42") in height. No fencing may extend forward of a point ten (10') feet behind the front corner of the residence. Fencing on any corner lot shall be at least five (5') feet from the public sidewalk.

Rear yards that adjoin a public thoroughfare are limited to a maximum heights of forty-two (42") inches and of white picket style. Perimeter lots that back of to the fifty (50') feet buffer may have a six (6') feet high wood privacy fence of an approved design providing they do not cause unreasonable visual barriers. Lots that back of to common area D or H are limited to a forty-two (42") inch high fence that comes no closer than within twenty-five (25') feet of the edge of the common property.

Six (6') foot wood privacy fences which are designed for privacy around patios, hot tubs, or pet enclosures will be allowed in all areas so long as the area enclosed is not greater than four hundred (400) square feet and the fence style is of an approved design by the Architectural Review Committee of the Highlands Prairie Homeowners Association.

Outbuildings - No outbuildings will be permitted during the original construction of the home. After occupancy the homeowner can apply to the Architectural Review Committee for outbuilding approval. Outbuildings will be limited to one hundred fifty (150) square feet with the same color palette and materials as the home. No outbuildings will be installed on any lot without the prior review and approval of the Architectural Review Committee of Highlands Prairie Homeowners Association.