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ORDINANCE NO. 11-4-02

200200038912
Filed for Record in
HAMILTON COUNTY, INDIANA
MARY L. CLARK
05-30-2002 12:12 pm.
ORDINANCE 21.00

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 C.P. Morgan Communities, L.P. ("C.P. Morgan") for the real estate containing approximately 75 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 classified as Corporate Campus District - Mixed Use Planned Development District Classification (MPD) on the Zone Map, all per the provisions of this PUD Ordinance.

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 such accessory structures and uses as allowed by the Declaration of Conditions, Covenants and Restrictions recorded by C.P. Morgan with the Recorder of Hamilton County, Indiana, together with common and amenity areas along with accessory uses, structures, and improvements located thereon;
- (ii) General and professional office use, together with such accessory structures and uses as allowed by the Corporate Campus District, 146th Street Corridor Subdistrict, in the area indicated on the Preliminary Plan.

B. The gross residential density of the development shall not exceed 4.43 dwelling units per acre and, therefore, the maximum number of single family residences to be constructed upon the Real Estate shall not exceed 332.

C. The Village Lane Homes are those homes accessed by lanes, and include all lots shown on the Preliminary Plan, other than those (i) along the northern and eastern boundary of the lake, and (ii) along the eastern boundary of the Real Estate. Development Standards for the Village Lane Homes are set forth in the Development Standards Matrix attached hereto as Exhibit "C";

D. The elevations of the Village Lane Homes (the "Village Lane Elevations") were approved by the Noblesville Architectural Review Board, and are attached hereto as Exhibit "D". All Village Lane Homes shall have an eight inch (8") overhang on all

sides;

- E. The Perimeter Homes are the homes located on the northern and eastern boundaries of the lake shown on the Preliminary Plan, together with the homes along the eastern boundary of the Real Estate. The Development Standards Matrix specifying the development standards of the Perimeter Homes is attached hereto as Exhibit "C". All Perimeter Homes shall have an eight inch (8") overhang on all sides;
- F. The architectural style and design of the Perimeter Homes shall be consistent with the theme established by the Village Lane Elevations and the conceptual elevations attached hereto as Exhibit "E"; provided, however, that (i) front-loaded one car garages with driveways not to exceed ten (10) feet in width shall be permitted and (ii) the actual elevations of the Perimeter Homes shall be reviewed and approved by the Architectural Review Board of the City of Noblesville, Indiana;
- G. As indicated on the Preliminary Plan, office use will occupy the northern portion of the Real Estate having frontage on East 146th Street. The Development Standards Matrix specifying the development standards for the offices is attached hereto as Exhibit "C";
- H. The architectural design and style of the office buildings shall be consistent with the theme established by the conceptual elevations attached hereto as Exhibit "F" as determined by the Department of Planning. Any decision of the Department of Planning may be appealed to the ARB;
- I. Attached hereto as Exhibit "G" is an illustration of the manner in which parking areas will be designed and structured;

- J. Perimeter buffering standards for both the residential area and the office area are set forth on what is attached hereto as Exhibit "H";
- K. Common area/open space shall be as identified in what is attached hereto as Exhibit "I";
- L. Additional standards relating to streetscape design are attached hereto as Exhibit "J";
- M. Lane Lot Design Guidelines and Perimeter Lot Design Guidelines are attached hereto as Exhibit "K"; and
- N. Any decision of the ARB may be appealed to the Common Council of the City of Noblesville.

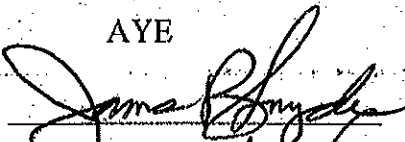
SECTION 3. The development standards created by this PD Ordinance supersede the development standards of the Ordinance and the Subdivision Control Ordinance.

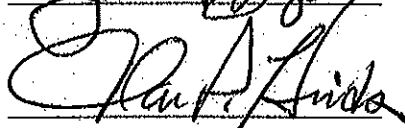
SECTION 4. Upon motion duly made and seconded, this PD Ordinance was fully passed by the members of the Common Council this 14th day of May, 2002.

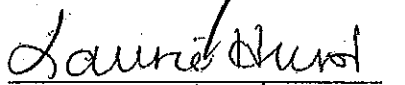
COMMON COUNCIL, CITY OF NOBLESVILLE


BY: AYE

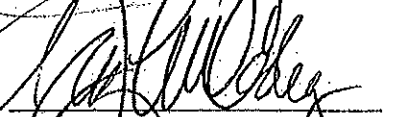
NAY

 James Snyder _____

 Alan Hinds _____

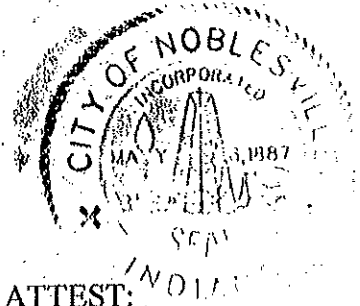
 Laurie Hurst _____

 Jack Martin _____

 Jay McCoskey _____

Dale Snelling Dale Snelling
Rex Dillinger Rex Dillinger

APPROVED and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 14th day of May, 2002.



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

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

This Ordinance prepared by: Charles D. Frankenberger, 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.

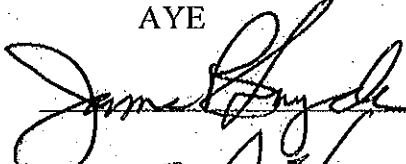
"Exhibit D" to the Marilyn Ridge Planned Development Ordinance No. 11-04-02 is approved by the Common Council of the City of Noblesville, Indiana, on the 14 day of May, 2002.

COMMON COUNCIL, CITY OF NOBLESVILLE

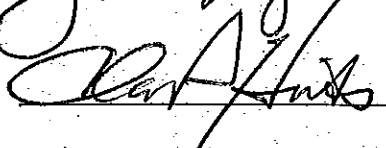
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AYE

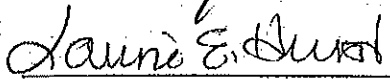
NAY



James Snyder



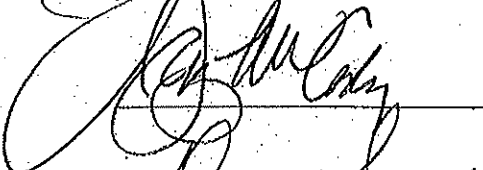
Alan Hinds



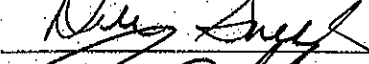
Laurie Hurst



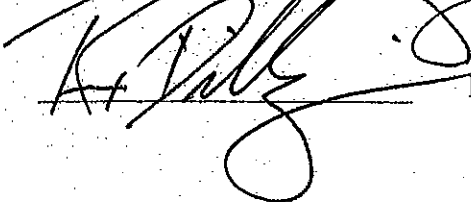
Jack Martin



Jay McCoskey



Dale Snelling



Rex Dillinger

EXHIBIT A

Legal Description:

The Southeast Quarter of the Northwest Quarter of Section 22, Township 18 North, Range 5 East, containing 40 acres in Hamilton County, Indiana. EXCEPT: Begin at the Northwest corner of the Southeast Quarter of the Northwest Quarter of said Section, Township and Range aforesaid; thence East on and along the North line of said Southeast Quarter of said Northwest Quarter 145.2 feet to a point; thence South parallel with the West line of said Quarter 150 feet to a point; thence West parallel with the North line of said Quarter 145.2 feet to the intersection with the West line of said Quarter; thence North on and along said line 150 feet to the place of beginning, containing $\frac{1}{2}$ acre, more or less, leaving $39 \frac{1}{2}$ acres, more or less.

NOTE: The acreage shown above is for descriptive purposes only. The policy, when issued, should not be construed as to insuring the amount of acreage contained therein.

End of Legal Description

Legal Description:

The Northeast Quarter of the Northwest Quarter of Section 22, Township 18 North, Range 5 East, containing 40 acres, more or less, except that portion thereof beginning at the southwest corner of said Northeast Quarter and run north 451 feet, thence east parallel with the south line of said Quarter Quarter Section 315 feet, thence south parallel with the west line of said Quarter Quarter Section 451 feet, thence west on and along the south line of said Quarter Quarter Section 315 feet to the place of beginning, said exception containing 3.33 acres, more or less, and leaving after said exception 36.67 acres, more or less, all in Hamilton County, Indiana.

Also except:

A part of the Northeast Quarter of the Northwest Quarter of Section 22, Township 18 North, Range 5 East located in Fall Creek Township, Hamilton County, Indiana, and more specifically described as follows:

Beginning at a point on the west line of the Northwest Quarter of the Northeast Quarter of Section 22, Township 18 North, Range 5 East, said point of beginning being 460.00 feet north of the southwest corner of said Northeast Quarter of the Northwest Quarter; thence north 108 feet on and along said west line; thence east 315 feet parallel with the south line of said Northeast Quarter of the Northwest Quarter; thence south 108 feet parallel with said west line; thence west 315 feet parallel with said south line to the point of beginning. Containing 0.78 of an acre, more or less.

NOTE: The acreage shown above is included for descriptive purposes only. The policies, when issued, should not be construed as to insuring the amount of acreage included therein.

End of Legal Description

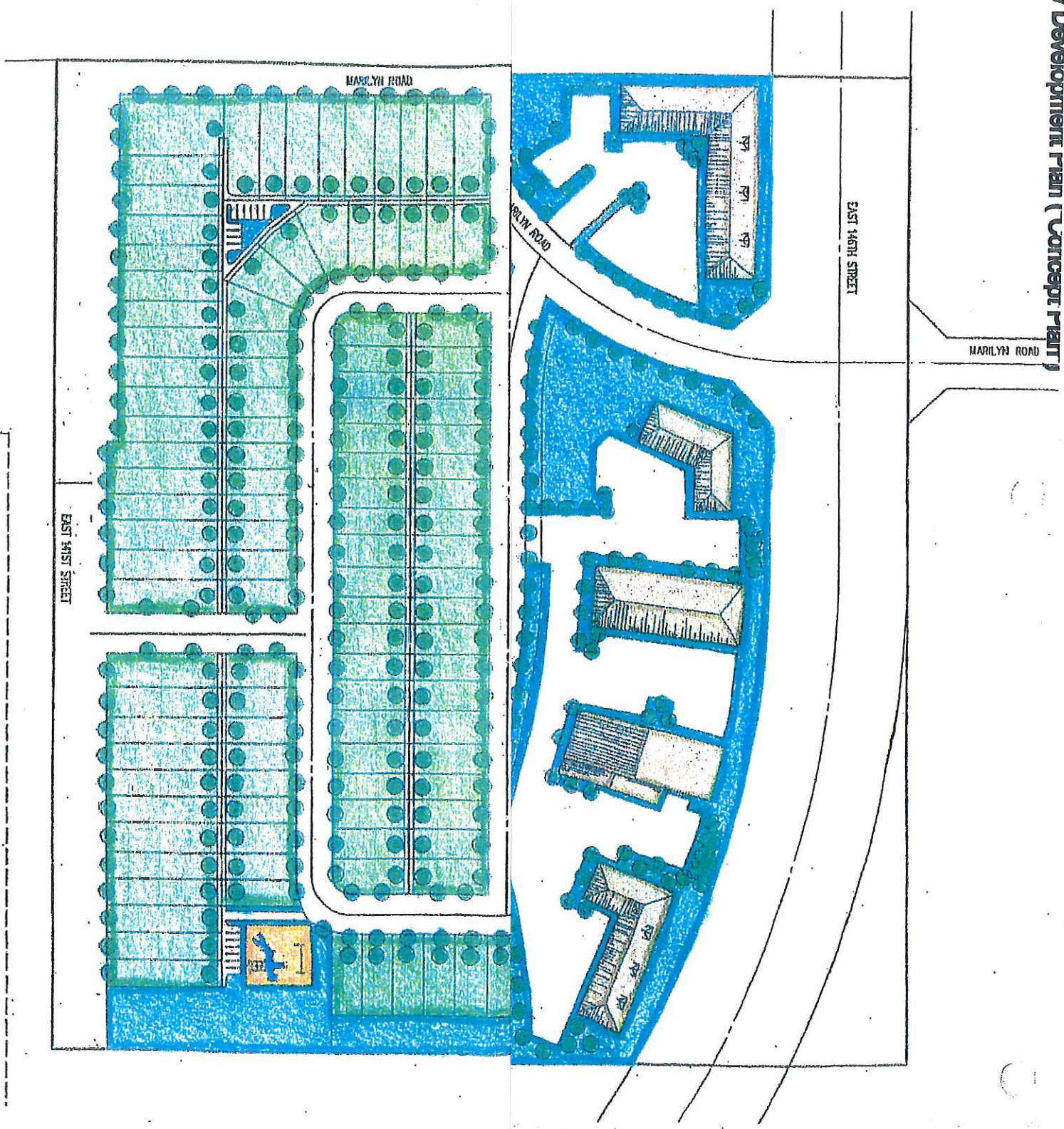
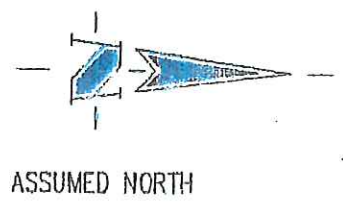


Exhibit C. Development Standards Matrix

Marilyn Ridge Development Standards

Development Standards Matrix, Marilyn Ridge Planned Development									
Revised 4/12/02									
	Maximum Number of Units	Minimum Lot Width	Minimum Lot Area	Minimum Setbacks			Minimum Home Size		
				Front	Side	Rear			
Lane Product									
Perimeter Product	265	35 feet	3500 sq ft	10 ft to porch, 15 ft to bldg.	0' per side, 10' between buildings	24 ft from centerline of lane	1000 sq ft		
Professional Office Uses	67	40 feet	4000 sq ft	20 ft	0' per side, 10' between buildings	20 ft	1000 sq ft		
Development Standards shall be pursuant to the Corporate Campus District, 146th Street Corridor Subdistrict, except that the Perimeter buffer between the office and residential use shall be 20', as shown in Exhibit H., Perimeter Buffers.									

The Village Lane Homes Elevations were too voluminous to include in this packet and, as such, were separately filed with the Noblesville Department of Planning and Development and identified as "Exhibit D to the Marilyn Ridge Planned Development Ordinance No. 11-04-02 approved by the Common Council of the City of Noblesville, Indiana, on the _____ day of _____, 2002."

NOTE:

Village Lane Homes Elevations

EXHIBIT D

Exhibit E. Conceptual Elevations - Perimeter Homes

Marilyn Ridge Development Standards

Conceptual Elevations - Perimeter Homes

The perimeter homes feature one-car garages where the overhead garage door is no more than 33% of the width of the front elevation. The front elevations are designed to reflect traditional architectural styles and are available in vinyl, brick and combination. They are consistent in theme with the Village Lane elevations approved by the ARB and with these conceptual elevations. Final elevations shall be brought back for the approval of the ARB by December 31, 2002. The maximum width of driveways for the perimeter product shall be 10 feet.

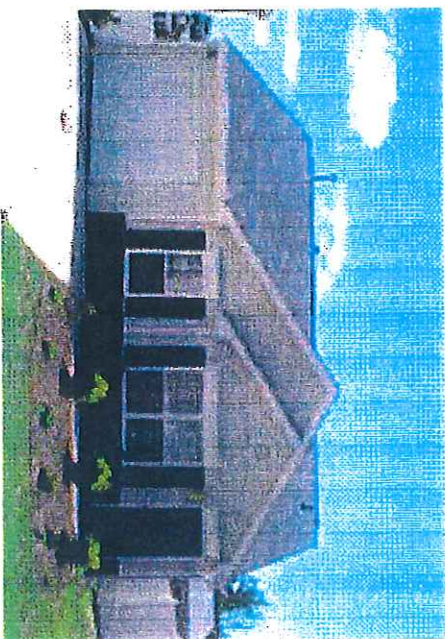
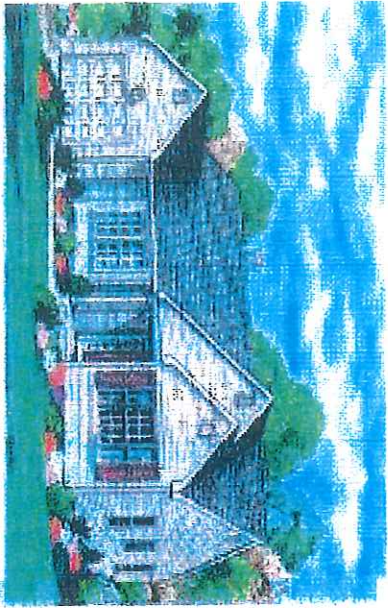
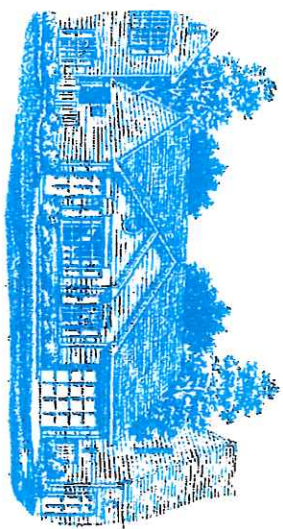
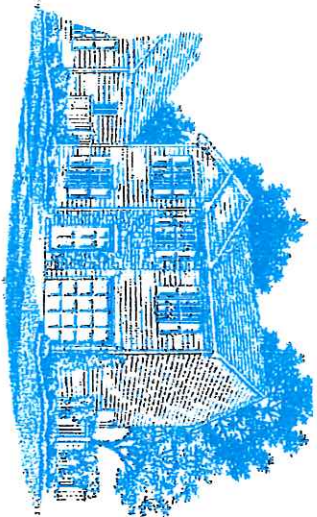
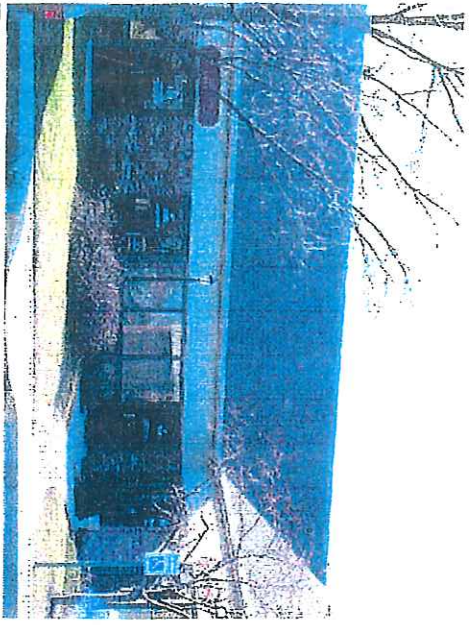


Exhibit F. Conceptual Elevations - Offices

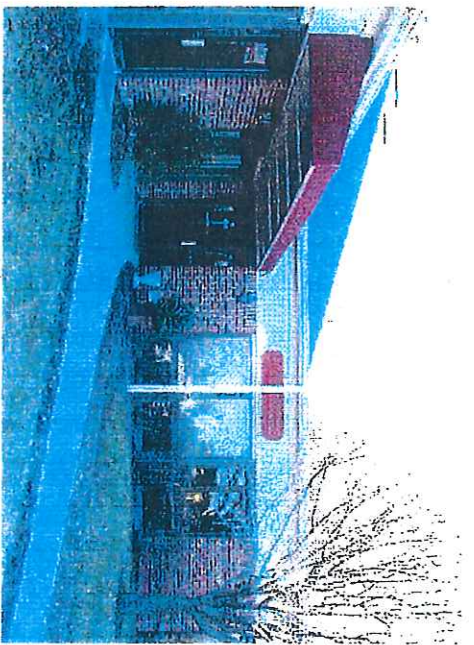
Marilyn Ridge Development Standards

Conceptual Elevations - Offices

- a. Consistent with concept drawings in the Corporate Campus Park Plan and with the Corporate Campus District Ordinance.
- b. Professional office uses - average bldg. size 5,000-10,000 sq ft.
- c. Residential character with pitched roofs & masonry construction
- d. Parking lot landscaping and parking behind buildings (away from 146th St.) with four-side architecture



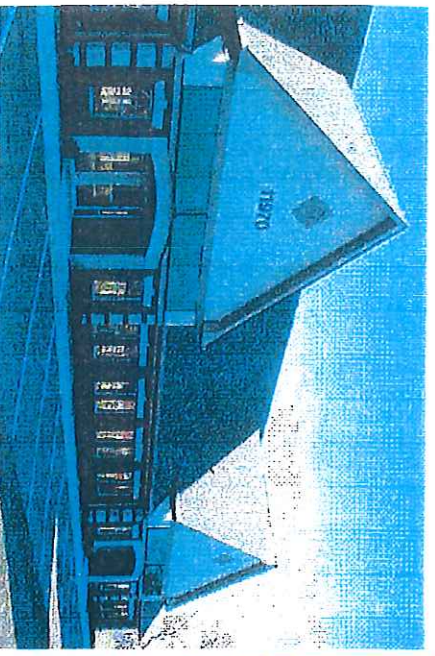
East Carmel Drive, Carmel



East Carmel Drive, Carmel



East Carmel Drive, Carmel



116th Street & Hazel Dell Road, Fishers



Rangeline Road & East Carmel Drive, behind Kroger, Carmel

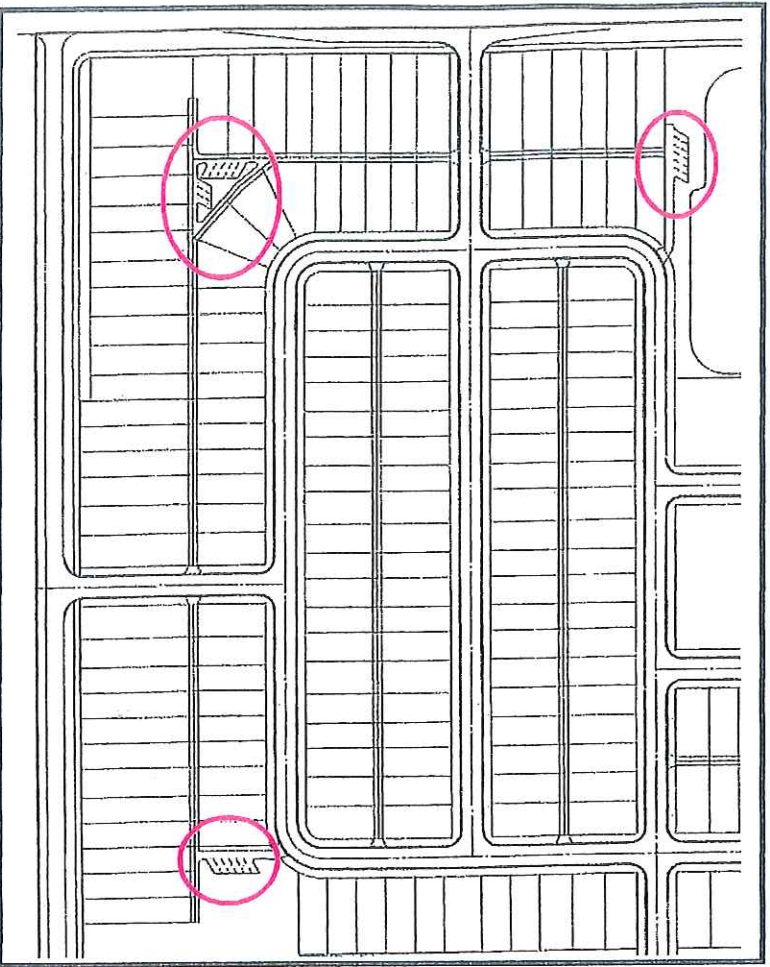


Rangeline Road & East Carmel Drive, behind Kroger, Carmel

Exhibit G. Parking

Parking

- a. Driveways on the lane homes shall be a minimum of 18' in length.
- b. On-street Parking
 - i. On-street parking shall be prohibited on 141st Street and on Marilyn Road.
 - ii. On-street parking shall be provided on one side of all internal streets (for a rate of approximately 1.5 spaces/lot).
- c. Guest parking pads shall be provided at 3 locations in the vicinity of 141st & Marilyn as shown below.
- d. Perimeter product – The perimeter product has one-car garages, with driveways a minimum of 20' in length and a maximum of 10' in width. Covenants shall mandate that the garage must be used for parking.



Guest Parking Pads - Circled in Red

Updated 5/2/02

Marilyn Ridge

Development Standards

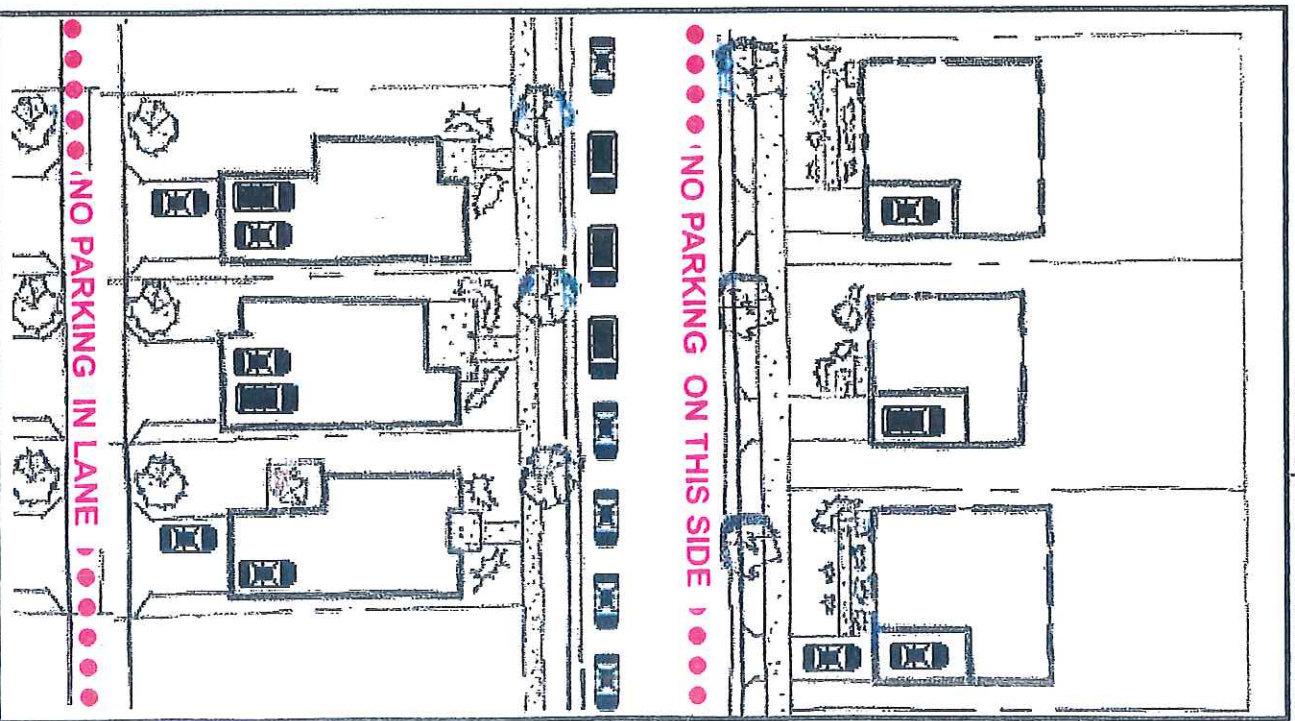


Illustration of the parking provided for homes in Marilyn Ridge

Exhibit H. Perimeter Buffers and Entrances

Marilyn Ridge Development Standards

Perimeter Buffers and Entrances

- a. Northwest: Buffering is provided by 50' minimum in Common Area, including the lake. A monument sign and associated landscaping will be located near the north entry to the subdivision and shall include a white picket fence design as a themeing element. The back ten feet of all rear yards abutting this Common Area/lake shall be in a landscape easement within which any fencing shall be limited to a 42" height white picket design.
- b. East: Buffering is provided by 50' minimum in Common Area and preservation of existing treeline.
- c. South and Southwest (Village Lane Lots with fronts facing 141st and Marilyn): Buffering is provided by a 50' setback to the fronts of the homes. Street trees shall be provided along 141st and Marilyn; one additional tree shall be planted in each front yard and shall be placed to maximize buffering of the sides of the homes. A continuous 42" height white vinyl picket fence shall be erected and maintained approximately one foot inside the property line as an additional buffer and themeing element and to discourage parking on 141st Street and Marilyn Road. Access to the fronts of the homes shall be provided by a private sidewalk located within the yard's 50' setback. This is illustrated as Perimeter Buffer Detail 1.
 - 1. A sign easement shall be provided at the 141st Street entrance to the subdivision to accommodate a secondary entry sign which shall be consistent in design with the north entrance sign and Perimeter Buffer Detail 1.
- d. Office/Residential Buffer: Buffering shall be provided between the parking lots of the offices and the front yards of the residences by 20' minimum in common area in addition to the 54' of right-of-way and street. This is shown as Perimeter Buffer Detail 2. In addition, the parking lots shall include substantial landscaping as required pursuant to the Corporate Campus District.

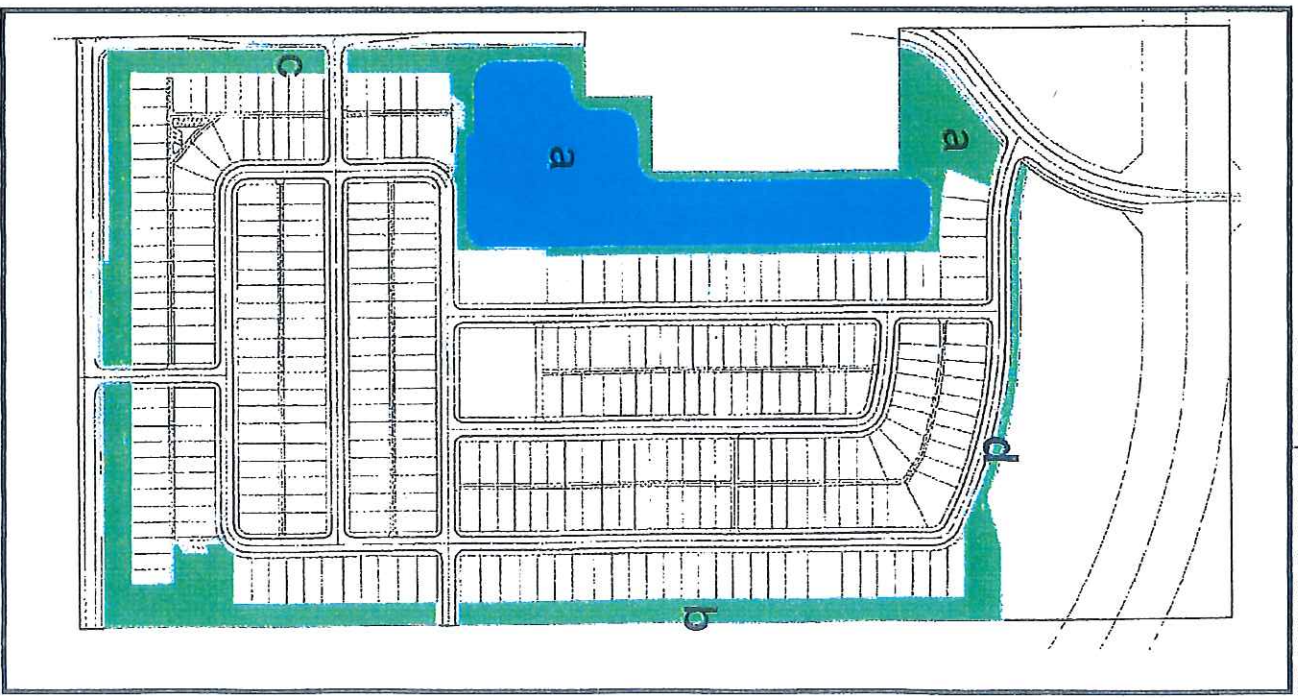
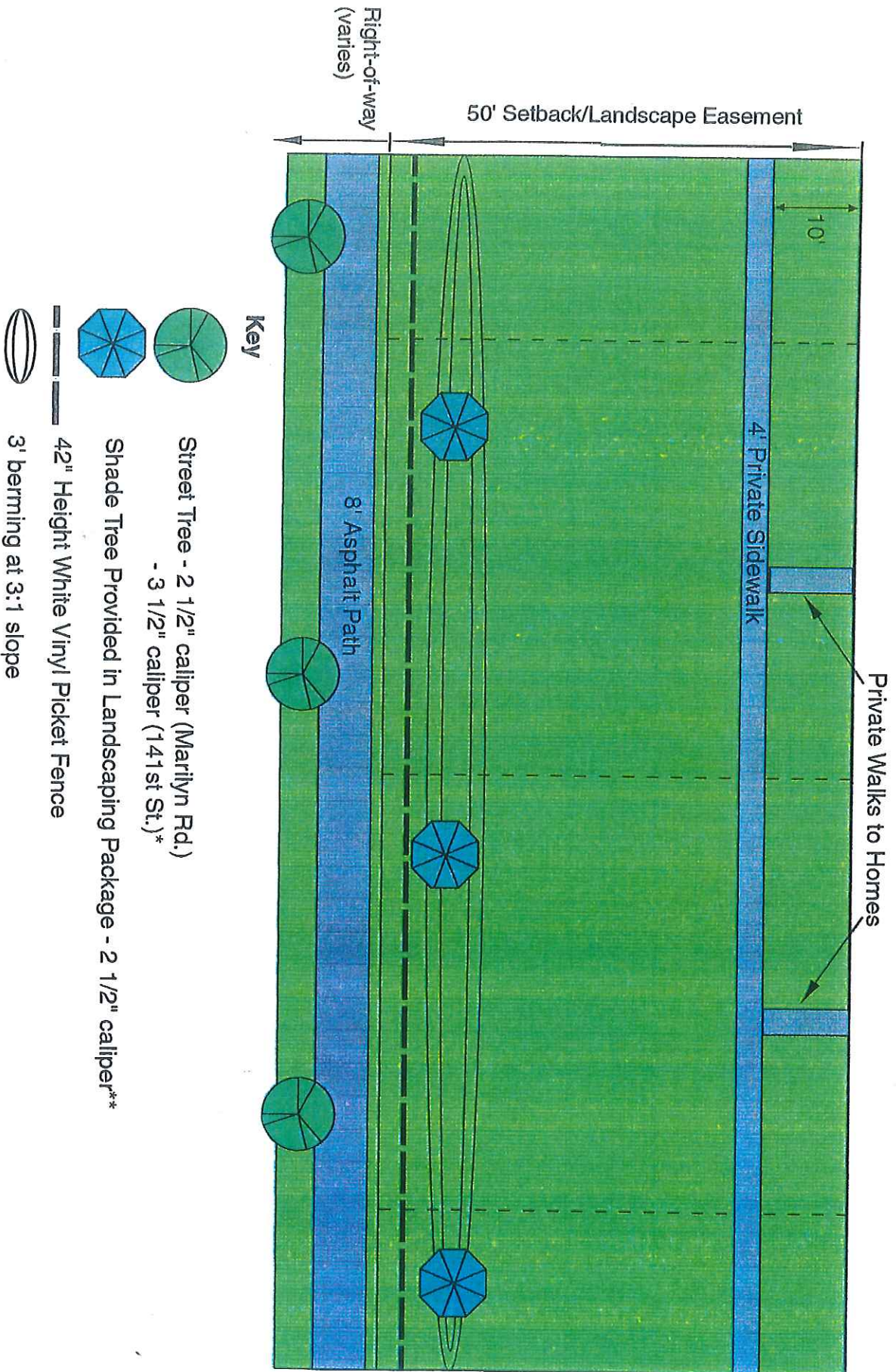


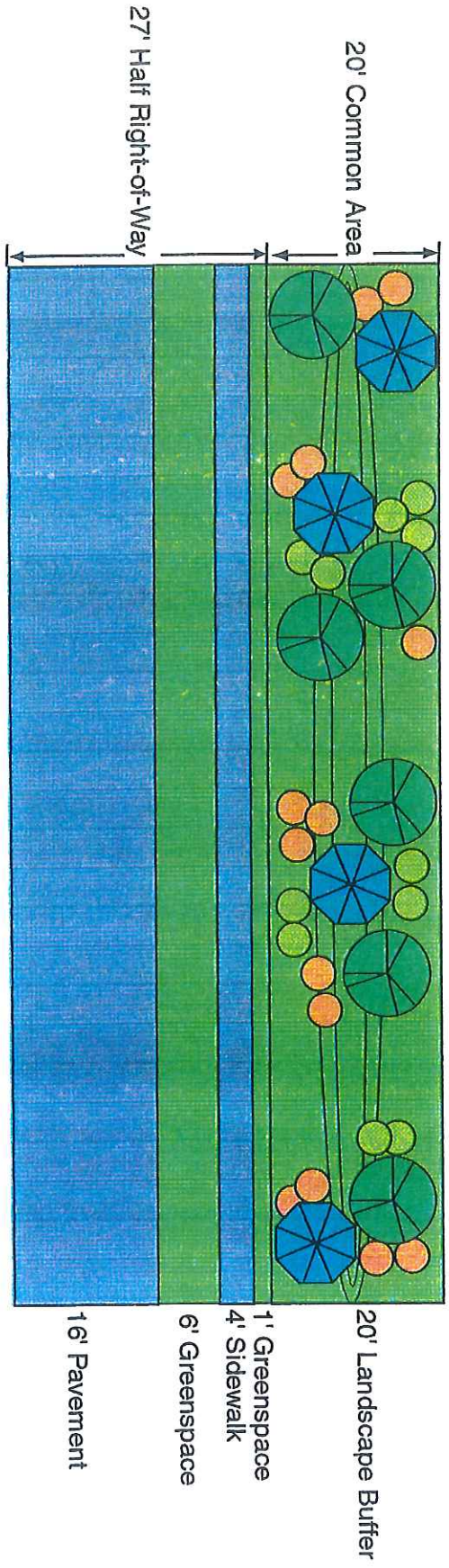
Exhibit H. (con't.) Landscape Buffer Detail 1: Marilyn Road & 141st Street (typical 100' section)



*pursuant to the City of Noblesville Street Tree Ordinance.

**pursuant to Article 12. Landscaping and Screening. of City of Noblesville Unified Development Ordinance

**Exhibit H. (con't.)
Landscape Buffer Detail 2: Office/Residential Buffer (typical 100' Section)**



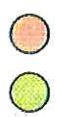
Key



October Glory Red Maple (2 1/2" caliper)



Norway Spruce (6' height)



additional plantings: purpleleaf sandcherry,
spreading yews, burring bush, leatherleaf viburnum (24" height)



4' berming at 3:1 slope

NOTE: All plant sizes are pursuant to Article 12, Landscaping and Screening, of City of Noblesville Unified Development Ordinance.

Exhibit I. Common Area/Open Space

Marilyn Ridge Development Standards

Common Area/Open Space

- a. Four Pocket Parks
 - i. Consistent in scale and character with the development
 - ii. Dispersed throughout the development
 - iii. Strategically located to terminate vistas
- b. Calculation of Land Area in Public Right-of-Way, Common Area and Open Space:

	Approximate Acreage
Total Site	75 acres
- Required Perimeter Right-of-Way (146 th Street, 141 st Street, and Marilyn Rd.)	9.59 acres
- Area Isolated by Marilyn Road Realignment	2.34 acres
- Area isolated by 146 th Street Realignment	0.77 acres
Net Developable Area	62.3 acres
Total Common Area Provided	13.37 acres
- Perimeter Buffers	1.85 acres (East boundary only)
Total Parks & Trails Open Space	11.52 acres

* With the addition of the trail that encompasses the perimeter of the Marilyn Ridge lake, the Noblesville Architectural Review Board recommends that the acreage of the lake and the area of land that surrounds it be considered toward the calculation of usable open space for this Planned Development.

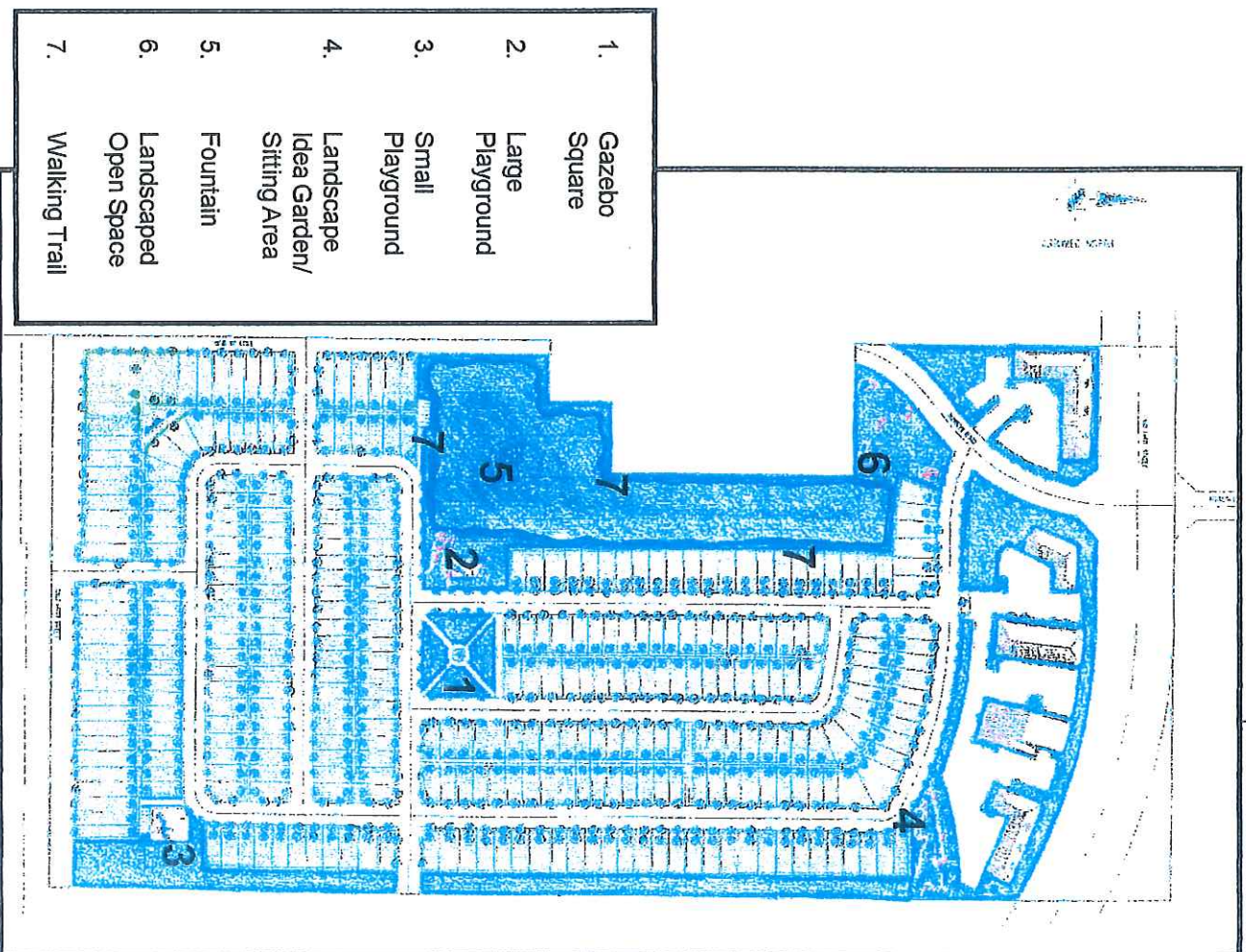
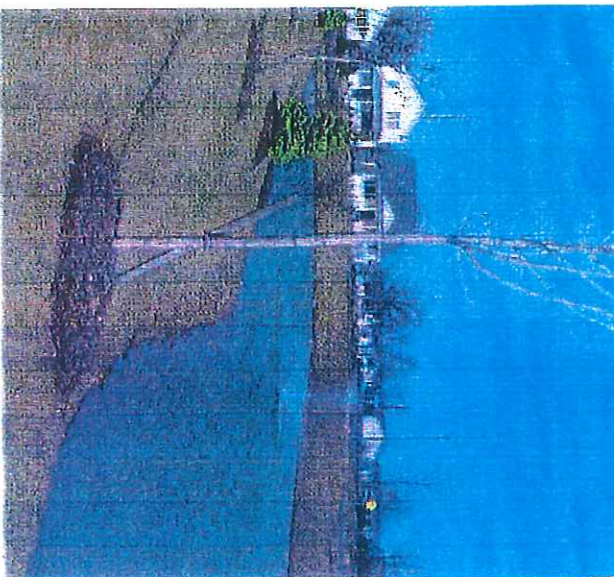


Exhibit I. Common Area/Open Space (con't.)

Marilyn Ridge Development Standards

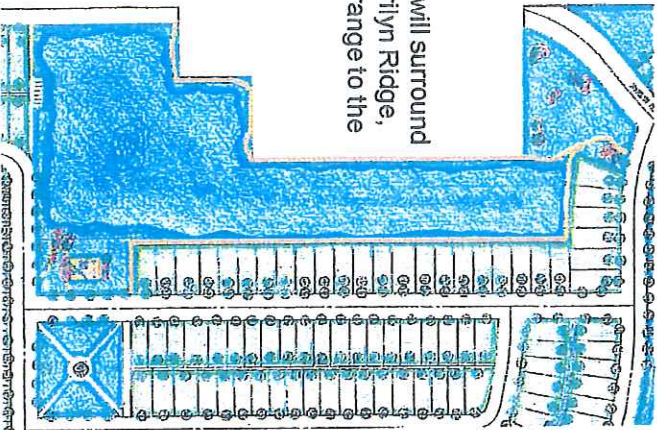


Gazebo in Community Square



Decorative fountain in the lake

A walking trail will surround the lake of Marilyn Ridge, illustrated in orange to the right.



Typical Playground Equipment Styles

For Development Accessibility:
 1. Wheelchair Accessible to 15' height
 2. Wheelchair Accessible to 15' height
 3. Wheelchair Accessible to 15' height
 4. Wheelchair Accessible to 15' height

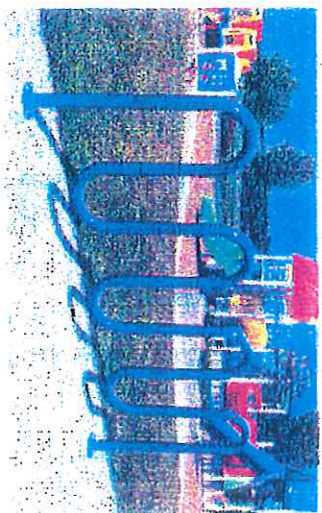
Partial Accessibility:
 1. Wheelchair Accessible to 15' height
 2. Wheelchair Accessible to 15' height
 3. Wheelchair Accessible to 15' height
 4. Wheelchair Accessible to 15' height

KID'S CLASSROOM

Basic

With Classroom Bunk

20' x 20' x 10' (with 10' high bunk)
 20' x 20' x 10' (with 10' high bunk)
 20' x 20' x 10' (with 10' high bunk)
 20' x 20' x 10' (with 10' high bunk)



Typical bike rack style.

Exhibit J. Additional Streetscape Commitments

Marilyn Ridge Development Standards

1. Standards for Uniform Streetlights, Mailboxes, Fencing and Sidewalks
 2. Decorative "Acorn" style streetlights shall be used throughout the development.
 - b. Mailboxes shall be provided in the lanes where lanes are provided. All mailboxes shall be grouped two to four per post. Street numbers shall be provided on the front of all homes.
 - c. Fencing: No fencing shall be installed on any Lot without the prior review and approval of the Architectural Control Committee of the Marilyn Ridge Home Owner's Association.
 - i. Lane Product: Fencing shall be limited to the side yards of corner lots and shall be limited to white picket designs a maximum of 42" in height.
 - ii. Perimeter Product Abutting the Lake: The back ten feet of all rear yards abutting the lake shall be in a landscape easement within which any fencing shall be limited to a 42" height white picket design.
 - iii. In addition, all fencing shall be subject to the following requirements found in the Declaration of Conditions, Covenants, and Restrictions, and shall be applicable to all fences other than fences in areas described in subparagraphs 1(c)(i)-(ii) above:
 1. No fence shall be higher than six (6) feet unless such fence is proposed for the rear yard of a Lot which abuts or is adjacent to a Lake or detention pond, in which event such fence shall not be higher than four (4) feet; provided, however, that in the discretion of the Committee, the portion of such fence closest to the rear side of the residence may be six (6) feet in height but may not, at the six (6) foot height, extend more than ten (10) feet from the rear corner(s) of the residence. In exercising its discretion, the Committee shall take into account the affect such proposed fence would have on the use and enjoyment of the lake or pond areas by other owners within the Subdivision. Notwithstanding the foregoing, no fence may be constructed within twenty-five (25) feet of the shoreline of any Lake or detention pond. No fencing shall 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 sidewalk.
 2. All fencing shall be constructed of wood, vinyl, or vinyl coated chainlink. All chainlink fencing shall have a black or brown finish and cannot exceed four (4) feet in height.
 - d. Sidewalks shall be provided on both sides of all streets in accordance with the Noblesville Unified Development Code.

Exhibit J. Additional Streetscape Commitments (cont'd.)

Marilyn Ridge Development Standards

2. Street Trees and Landscape Package:

- a. Street trees: 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 per lot or a maximum of every 40 to 60 feet. Pursuant to the Street Tree Ordinance, street trees on 141st Street and 146th Street shall be a minimum of 3 1/2" caliper, and other street trees shall be a minimum of 2 1/2" caliper.
- b. Lane Product: One shade tree shall be located in the rear yard, which tree shall be a minimum of 2 1/2" caliper pursuant to Article 12, Landscaping and Screening, of the City of Noblesville Unified Development Ordinance. Eight shrubs shall be located in the front yard, which shrubs shall be a minimum of 24" in height pursuant to Article 12. Lane product lots fronting 141st and Marilyn have a minimum 50' front yard setback and will receive an additional shade tree in the front yard pursuant to Landscape Buffer Detail 1.
- c. Perimeter Product: One shade tree shall be located in the front yard, which tree shall be a minimum of 2 1/2" caliper pursuant to Article 12. Eight shrubs shall be located in the front yard, which shrubs shall be a minimum of 24" in height pursuant to Article 12.
- d. All side exterior walls that address either a public street or the cross through of a private lane shall receive the same foundation planting treatment as committed to for the front elevation of the home (see Illustration A for locational reference).
- e. The side exterior walls of the two lots directly to the north of the gazebo park shall receive the same foundation planting treatment as committed to for the front elevation of the home. In addition, a 6' height evergreen tree will also be installed to complement the side exterior wall (see Illustration B for locational reference).

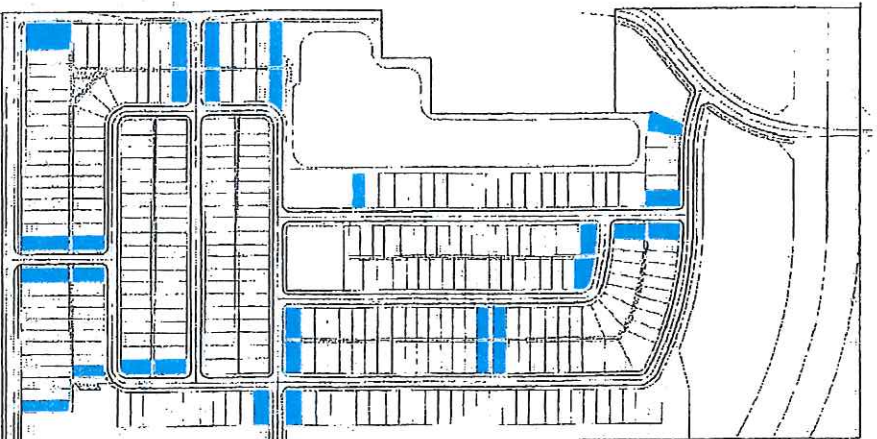


Illustration A

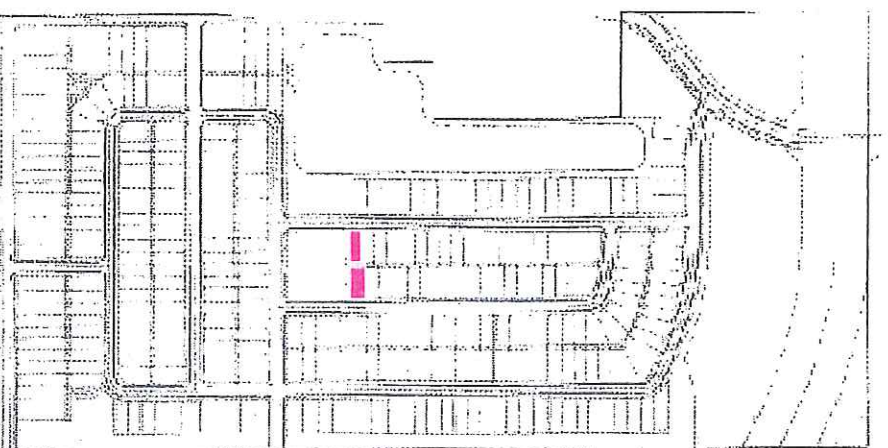


Illustration B

Exhibit J. Additional Streetscape Commitments (cont'd.)

Marilyn Ridge Development Standards

3. Street Standards:

- a. Right-of-way shall be dedicated for 146th Street, 141 st Street, and Marilyn Road. The amount and location of right-of-way and the design of the streets shall be subject to the Master Plan and Ordinances of the City of Noblesville and the interpretation of the City Engineer.
- b. Curves in the streets of Marilyn Ridge shall be constructed with a minimum centerline radius of 50'.
- c. All lanes shall be private drives. One-way lanes shall have a minimum of 12' of pavement. Cross-alleys shall have a minimum of 16' of pavement for two-way traffic.

4. Additional Standards:

- a. No exterior walls that face a public street shall be blank (without a window or door).
- b. Only one model of each product type used by the builder for marketing purposes may be constructed with an all vinyl exterior.
- c. For homes fronting Marilyn Rd., 141st Street, and 146th Street, a minimum of 50% of the homes will have a minimum of 50% brick on the front elevation.
- d. All homes shall have 8" overhang on all sides.

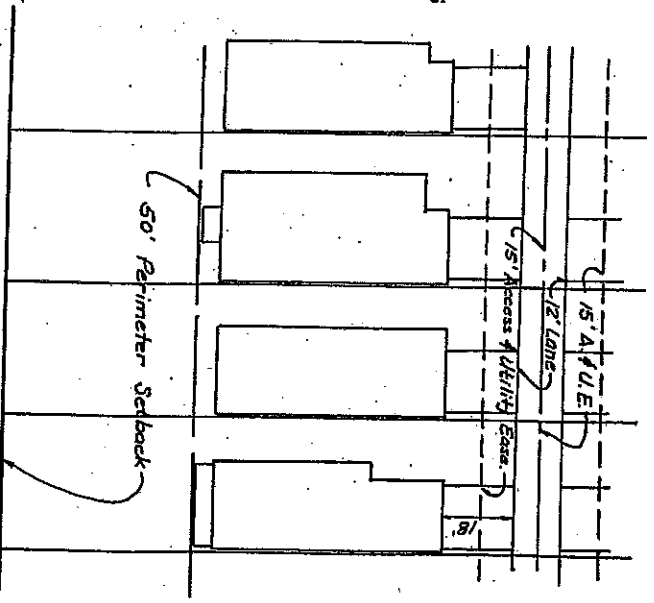
Exhibit K. Lot Design Guidelines

Marilyn Ridge Development Standards

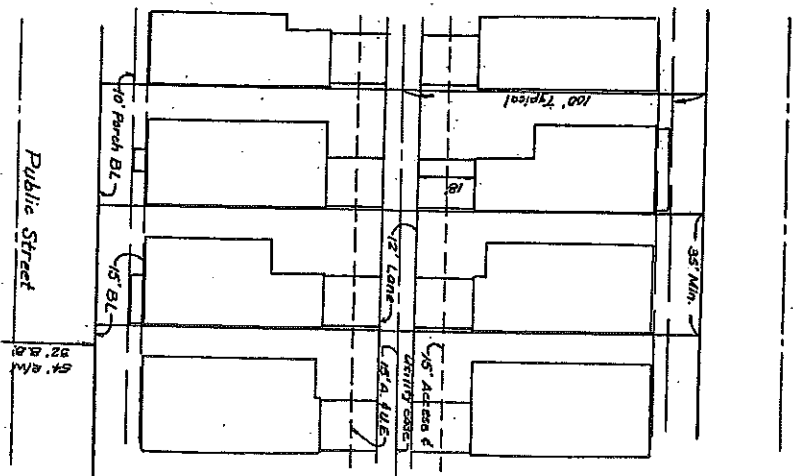
Lane Lots

Minimum Standards

1. Minimum Lot Width - 35 feet
2. Minimum Setbacks
 - a. Front - 10 feet
 - b. Side - 1 foot per side, 10 feet separation between buildings
 - c. Rear - 24 feet from centerline of lane
3. Maximum Building Height - 2 stories
4. Minimum Home Size - 1000 sq ft
5. Garage Standards - Garages shall face the rear of the home and shall be accessed by privately owned and maintained lanes with 12' width of pavement for one-way traffic.
6. Architectural Standards - The homes shall be characterized by architectural features such as but not limited to reverse gables, shutters, porches, decorative trim mouldings, and partial brick, in keeping with the Corporate Campus guidelines.



Marilyn Road
141st Street
(RW per Thoroughfare Plan)



Typical lots with minimum standards.

Exhibit K. Lot Design Guidelines (cont'd.)

Marilyn Ridge Development Standards

Perimeter Lots

Minimum Standards

1. *Minimum Lot Width* - 40 feet
2. *Minimum Setbacks*
 - a. *Front* - 20 feet
 - b. *Side* - 0 feet per side, 10 feet separation between buildings
 - c. *Rear* - 20 feet from centerline of lane
3. *Maximum Building Height* - 2 stories
4. *Minimum Home Size* - 1000 sq ft
5. *Garage Standards* - Garage doors shall not exceed 33% of the width of the home. One-car garages shall be permitted in this development. The driveway for each lot shall not exceed 10' in width.
6. *Architectural Standards* - The homes shall be characterized by architectural features such as but not limited to reverse gables, shutters, porches, decorative trim mouldings, and partial brick, in keeping with the Corporate Campus guidelines.

