

ORDINANCE NO. 21-06-13

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

*Document Cross Reference No. 200300058881*

This is an Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the "UDO"), 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 "Plan Commission") conducted a public hearing on docket number 13N-15-0669 (BP13N-15-6077) at its June 17, 2013, meeting as required by law in regard to the application (the "Petition") filed by Maefield Development Corporation (the "Developer") for a text amendment to Sections 6.4 and 7.4 of the Noble West PD Ordinance, Ordinance Number 59-12-02, as amended and restated by Ordinance Number 37-5-03, (the "Noble West PD Ordinance"); and

WHEREAS, the Plan Commission sent a favorable recommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana, by a vote of seven (7) in favor and two (2) opposed;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Noble West PD Ordinance is hereby amended as follows:

**Section 1.** Ordinance Number 5-1-07 and Ordinance Number 6-1-07 are hereby rescinded and shall be of no further effect.

**Section 2.** Section 6.4 of the Noble West PD Ordinance is hereby amended and restated in its entirety as follows:

"The maximum number of units in the Single Family Areas shall be 951 and the maximum number of units in the Multi-Family Areas shall be 711."

**Section 3.**

Section 7.4 of the Noble West PD Ordinance is hereby amended and restated, with respect only to the real estate described in the attached Exhibit A, in its entirety as follows:

- A. "The development of the Multi-Family Area shall be substantially in accordance with the Multi-Family Bulk Requirements attached hereto as Exhibit G, the conceptual plan attached hereto as Exhibit G-1, and the architectural elevations attached hereto as Exhibit G-2 (Exhibit G, Exhibit G-1 and Exhibit G-2, collectively, are referred to as the "East Side Multi-Family Plan"); provided, however, prior to construction: (i) all buildings must be reviewed by the Architectural Review Board and approved if in substantial compliance with Exhibit G-2 or otherwise deemed consistent with the East Side Multi-Family Plan and (ii) a Preliminary Development Plan must be approved pursuant to the provisions of the Noble West PD Ordinance.
- B. No three (3) bedroom units or greater shall be permitted.
- C. No rent subsidies shall be sought or accepted from any federal, state or local program. Developer, its assigns, successors, affiliates or subsidiaries will not apply for and will not accept designation from the United States Department of Housing and Urban Development ("HUD") or any locally administered public housing agency ("PHA") as a qualified Housing Provider for any rent subsidization program administered by HUD or a PHA now or in the future.
- D. No trees with a diameter at breast height ("DBH") in excess of four inches (4") or evergreens eight feet (8') or more in height (the "Protected Trees") shall be removed from the area identified generally on Exhibit L (the "Tree Preservation Area") unless the tree is damaged, diseased, dead, an invasive or poor characteristic species or is required to be removed in order to comply with safety requirements of any governmental agency. If a Protected Tree within the Tree Preservation Area is damaged or otherwise removed by the developer, except as permitted to be removed as listed above, then the developer shall reestablish the Protected Tree with a tree or trees of combined equal or greater DBH or height subject to the availability of space for their healthy growth in the Tree Preservation Area. It is acknowledged that certain areas of the woodlands will not be appropriate for the Tree Preservation Area due to path construction, drainage and utility needs as will be identified at the time of the final development plan.

**Section 4.** Exhibit G, Multi-Family Bulk Requirements (Development Standards), of the Noble West PD Ordinance is hereby amended to permit in Multi-Family Area 2, up to twenty-eight (28) dwelling units with a minimum floor area of 515 square feet. All other dwelling units within Multi-Family Area 2 shall have a minimum floor area of 600 square feet.

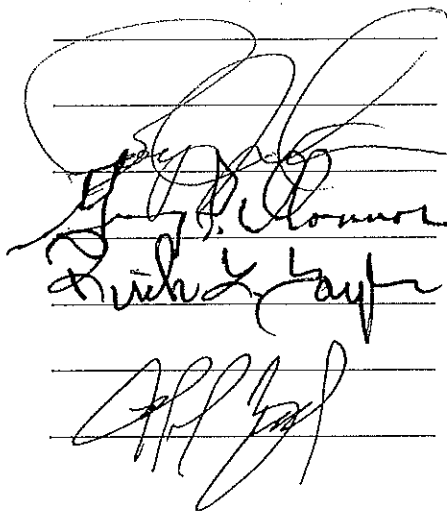
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signature page follows.]

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 9th day of July, 2013.

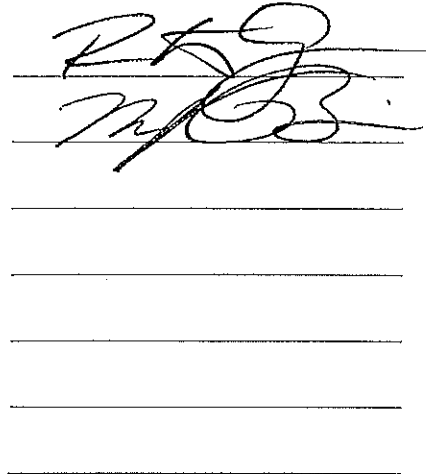
**COMMON COUNCIL OF THE CITY OF NOBLESVILLE**

**AYE**

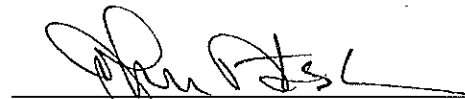
**NAY**



Brian Ayer  
Mark Boice  
Roy Johnson  
Gregory P. O'Conner  
Rick L. Taylor  
Stephen C. Wood  
Jeff Zeckel

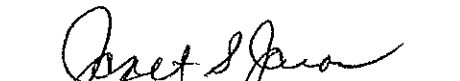


Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 9th day of July, 2013.



John Ditslear, Mayor  
City of Noblesville, IN

ATTEST:



Janet S. Jaros, Clerk-Treasurer

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: Steven D. Hardin.

Prepared by: Steven D. Hardin, Attorney-At-Law, Faegre Baker Daniels, LLP  
600 East 96<sup>th</sup> Street, Suite 600, Indianapolis, Indiana 46032 | (317) 569-9600

**EXHIBIT A**  
**REAL ESTATE**

**PARCEL I:**

A part of the Southwest Quarter and a part of the Northwest Quarter of Section 15, Township 18 North, Range 4 East located in Noblesville Township, Hamilton County, Indiana being bounded as follows:

COMMENCING at the Southwest Corner of the Southwest Quarter of Section 15, Township 18 North, Range 4 East; thence North 00 degrees 00 minutes 00 seconds (assumed bearing) 2,622.39 feet along the West Line of said Southwest Quarter to its point of intersection with southwesterly extension of the northwestern boundary of the 14.87 acre tract of land described in Exhibit A of the Warranty Deed recorded as Instrument #200400012796 by the Recorder of Hamilton County, Indiana; thence North 66 degrees 18 minutes 54 seconds East 76.44 feet along the southwesterly extension of the northwestern boundary of said 14.87 acre tract of land to a point being 70.00 feet east (by perpendicular measure) of the West Line of Northwest Quarter of Section 15, Township 18 North, Range 4 East and to the POINT OF BEGINNING of this description; thence North 66 degrees 18 minutes 54 seconds East 368.49 feet along the southwesterly extension of the northwestern boundary of said 14.87 acre tract of land to the terminus of the northwestern boundary of said 14.87 acre tract of land on the approximate centerline of the Kirkendall Drain, the following twelve (12) courses are along the western boundary of said 14.87 acre tract of land which meanders said centerline; 1) thence South 54 degrees 28 minutes 16 seconds East 49.04 feet; 2) thence South 79 degrees 50 minutes 33 seconds East 96.80 feet; 3) thence North 67 degrees 19 minutes 12 seconds East 69.37 feet; 4) thence North 88 degrees 19 minutes 15 seconds East 253.37 feet; 5) thence South 62 degrees 25 minutes 03 seconds East 183.11 feet; 6) thence South 34 degrees 18 minutes 28 seconds East 51.60 feet; 7) thence South 35 degrees 01 minute 21 seconds East 66.32 feet; 8) thence South 42 degrees 35 minutes 08 seconds East 91.34 feet; 9) thence South 07 degrees 39 minutes 21 seconds East 102.72 feet; 10) thence South 18 degrees 32 minutes 45 seconds West 72.01 feet; 11) thence South 84 degrees 16 minutes 10 seconds East 62.42 feet; 12) thence South 02 degrees 22 minutes 20 seconds East 72.78 feet (computed, 72.54 feet deeded) to the southwestern corner of said 14.87 acre tract of land and to the northwestern corner of the 14.80 acre tract of land described in Exhibit A of the Warranty Deed recorded as Instrument #200300110451 by said Recorder, the following six (6) courses are along the western boundary of said 14.80 acre tract of land which meanders the centerline of the Kirkendall Drain; 1) thence South 02 degrees 31 minutes 09 seconds East 86.71 feet; 2) thence South 62 degrees 09 minutes 23 seconds East 51.86 feet; 3) thence South 30 degrees 24 minutes 58 seconds East 44.15 feet; 4) thence South 00 degrees 11 minutes 46 seconds West 95.58 feet; 5) thence South 16 degrees 16 minutes 35 seconds East 140.35 feet; 6) thence South 25 degrees 03 minutes 05 seconds East 16.77 feet to the currently (November 2006) proposed northern right-of-way line for 148th Street (30-foot half right-of-way), the following five (5) courses are along said proposed northern right-of-way line; 1) thence South 52 degrees 13 minutes 32 seconds West 39.12 feet to the point of curvature of a curve to the right, said point of curvature being South 37 degrees 46 minutes 28 seconds East

969.99 feet from the radius point of said curve; 2) thence southwesterly 211.02 feet along said curve to its point of tangency, said point of tangency being South 25 degrees 18 minutes 36 seconds East 969.99 feet from the radius point of said curve; 3) thence South 64 degrees 41 minutes 24 seconds West 603.99 feet to the point of curvature of a curve to the right, said point of curvature being South 25 degrees 18 minutes 36 seconds East 1,170.00 feet from the radius point of said curve; 4) thence southwesterly and westerly 513.29 feet along said curve to its point of tangency, said point of tangency being South 00 degrees 10 minutes 25 seconds East 1,170.00 feet from the radius point of said curve; 5) thence South 89 degrees 49 minutes 23 seconds West 2.12 feet to a point being 70.00 feet from (measured perpendicularly in an easterly direction) the West Line of said Southwest Quarter; thence North 00 degrees 00 minutes 00 seconds 1,259.87 feet parallel with the West Line of said Southwest Quarter; thence North 00 degrees 10 minutes 04 seconds West 0.57 feet parallel with the West Line of said Northwest Quarter to the POINT OF BEGINNING containing 31.066 acres, more or less.

EXCEPTING therefrom that part thereof conveyed to the City of Noblesville by Deed dated and recorded April 9, 2007 as Instrument 2007-019306.

**PARCEL II:**

A portion of the 96-acre tract of land described in Instrument Number 9909923659 and 9909923660, on file in the Office of the Hamilton County Recorder, being a part of the Northwest Quarter of Section 15, Township 18 North, Range 4 East located in Noblesville Township, Hamilton County, Indiana being bounded as follows:

BEGINNING at the southwest corner of said Northwest Quarter; thence North 00 degrees 10 minutes 03 seconds West (assumed bearing) 1131.99 feet along the west line of said Northwest Quarter to its point of intersection with the westerly extension of a south line of Block "B" as described in the Secondary Plat of East Haven at Noble West Section 1-A recorded as Instrument Number 200300069071 in the Office of said Recorder; thence North 89 degrees 50 minutes 45 seconds East along said westerly extension and said south line 213.83 feet to the west line of said Block "B" on the approximate centerline of the Kirkendall Drain, the following three (3) courses are along the western boundary of said Block "B" which meanders said centerline; 1) thence South 14 degrees 11 minutes 22 seconds West 79.92 feet; 2) thence South 06 degrees 51 minutes 55 seconds East 77.41 feet; 3) thence South 18 degrees 43 minutes 34 seconds West 76.40 feet to the northwest corner of the Secondary Plat of East Haven at Noble West Section 1-B recorded as Instrument Number 200300112199 in the Office of said Recorder, on the approximate centerline of the Kirkendall Drain, the following nine (9) courses are along the western boundary of said Plat which meanders said centerline; 1) thence South 38 degrees 49 minutes 10 seconds West 55.32 feet; 2) thence South 01 degrees 01 minutes 22 seconds East 120.80 feet; 3) thence South 42 degrees 14 minutes 12 seconds East 50.55 feet; 4) thence South 19 degrees 20 minutes 17 seconds East 214.94 feet; 5) thence South 04 degrees 12 minutes 23 seconds East 103.66 feet; 6) thence South 38 degrees 49 minutes 54 seconds East 111.36 feet; 7) thence South 11 degrees 04 minutes 42 seconds East 63.00 feet; 8) thence South 24 degrees 27 minutes 13 seconds East 82.33 feet; 9) thence South 54 degrees 26 minutes 09 seconds East 44.44 feet to the northwest

corner of the 14.87 acre tract of land described in Exhibit A of the Warranty Deed recorded as Instrument Number 200400012796 in the Office of said Recorder; thence South 66 degrees 18 minutes 54 seconds West along the southwesterly extension of the northwestern boundary of said 14.87 acre tract of land 368.49 feet to the south line of said Northwest Quarter; thence South 89 degrees 26 minutes 17 seconds West along said south line 70.03 feet to the POINT OF BEGINNING, containing 6.039 acres more or less.

**EXHIBIT G**  
**MULTI-FAMILY BULK REQUIREMENTS**

**MULTI-FAMILY BULK REQUIREMENTS**  
(Development Standards)

	<b>MULTI-FAMILY AREA 1</b>	<b>MULTI-FAMILY AREA 2</b>
<b>Min. Lot Width</b>	N/A	N/A
<b>Min. Lot Area</b>	N/A	N/A
<b>Max. Building Height</b>	25'	45'
<b>Interior Streets</b>	Private	Private
<b>Min. Front Yard Setbacks</b>	45' (Public) 20' (Private)	45' (Public) 0' (Private)
<b>Min. Side &amp; Rear Perimeter Yard Setbacks</b>	20' (Primary structure) 5' (Accessory structure)	20' (Primary structure) 5' (Accessory structure)
<b>Min. Distance Between Buildings</b>	10', plus 5' for each story over the first story	10', plus 5' for each story over the first story
<b>Min. Off Street Parking Spaces***</b>	**	**
<b>Min. Floor Area (per dwelling unit)</b>	600 sq. ft.	600 sq. ft.

\*\* Per Table 10.0.3.B of the Zoning Ordinance.

\*\*\* Includes all garage spaces.



SCALE: 1/8" = 32' (24"x36" SHEET)  
0' 80' 160' 320'



# ARCHITECTURAL SITE PLAN

A-201

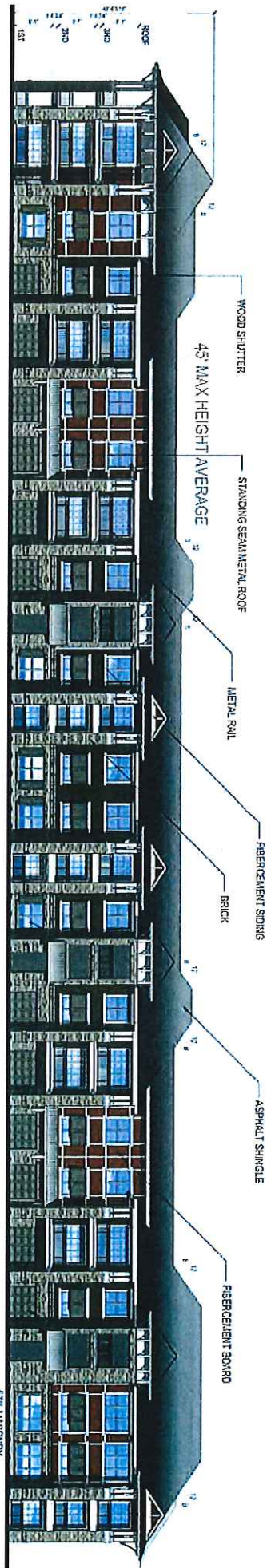
2013.04.01

HAZEL DELL  
MAEFIELD DEVELOPMENT  
INDIANAPOLIS, IN

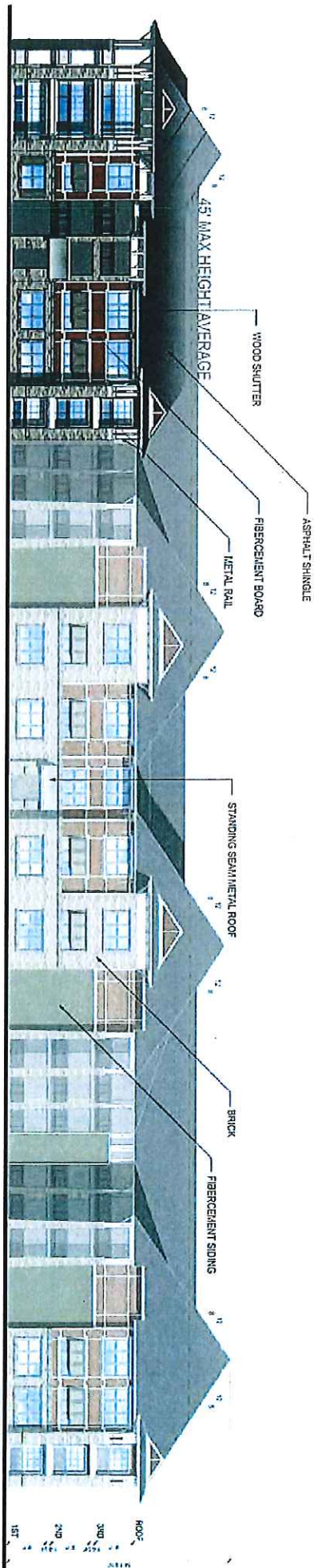
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02 ELEVATION 02 - TYPE I  
SCALE: 3/32" = 1'-0"



01 ELEVATION 01 - TYPE I  
SCALE: 3/32" = 1'-0"

A-413

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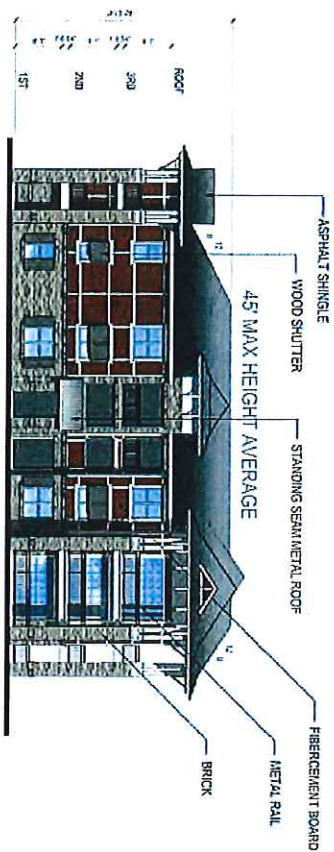
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NOBLE WEST  
MAEFIELD DEVELOPMENT  
INDIANAPOLIS, IN

HPA#12069

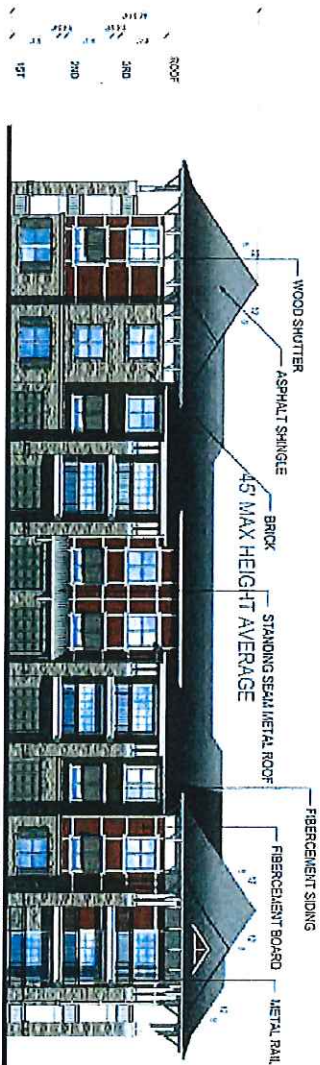


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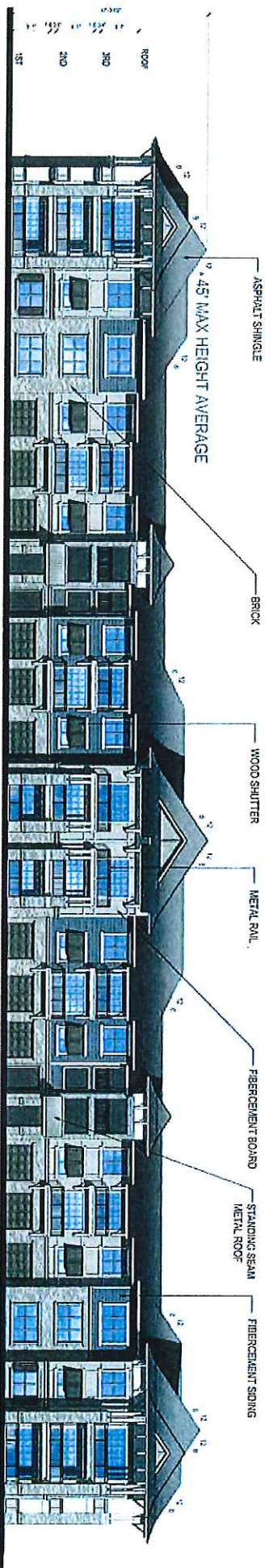
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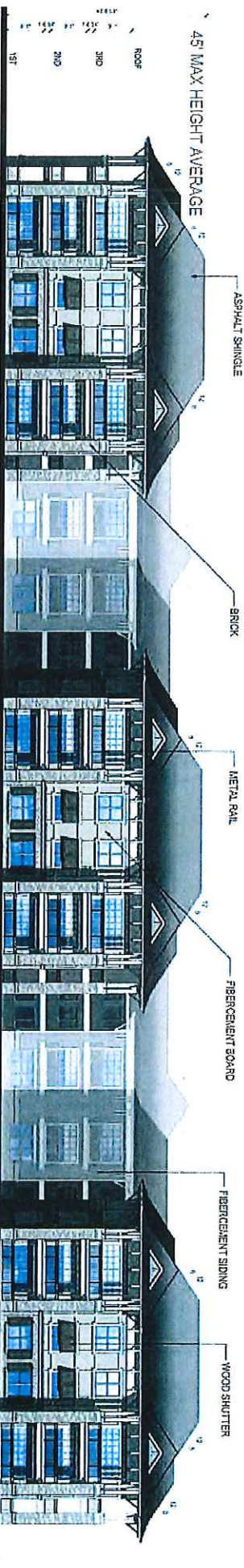
01 ELEVATION 01 - TYPE I

SCALE: 3/32" = 1'-0"



02 ELEVATION 02 - TYPE II

SCALE: 3/32" = 1'-0"



01 ELEVATION 01 - TYPE II

SCALE: 3/32" = 1'-0"

A423

2013.04.01

HAZEL DELL  
MAEFIELD DEVELOPMENT  
INDIANAPOLIS, IN

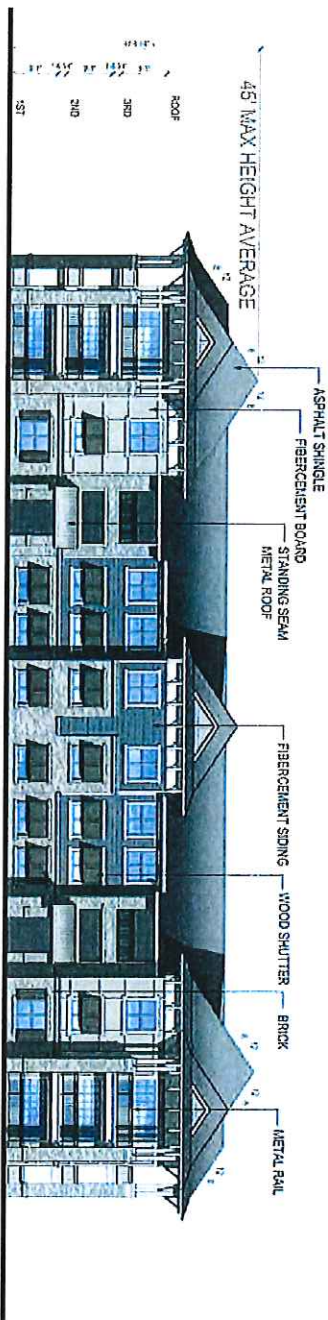
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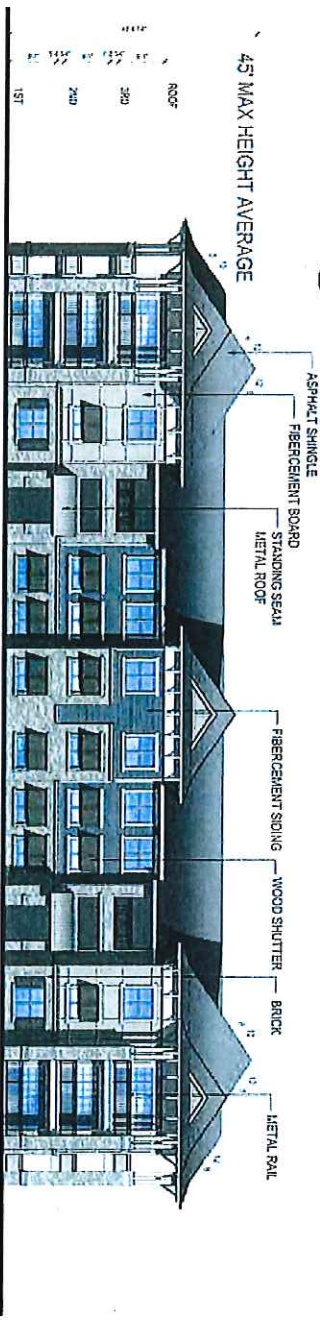
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02 ELEVATION 02 - TYPE II  
SCALE: 3/32" = 1'-0"

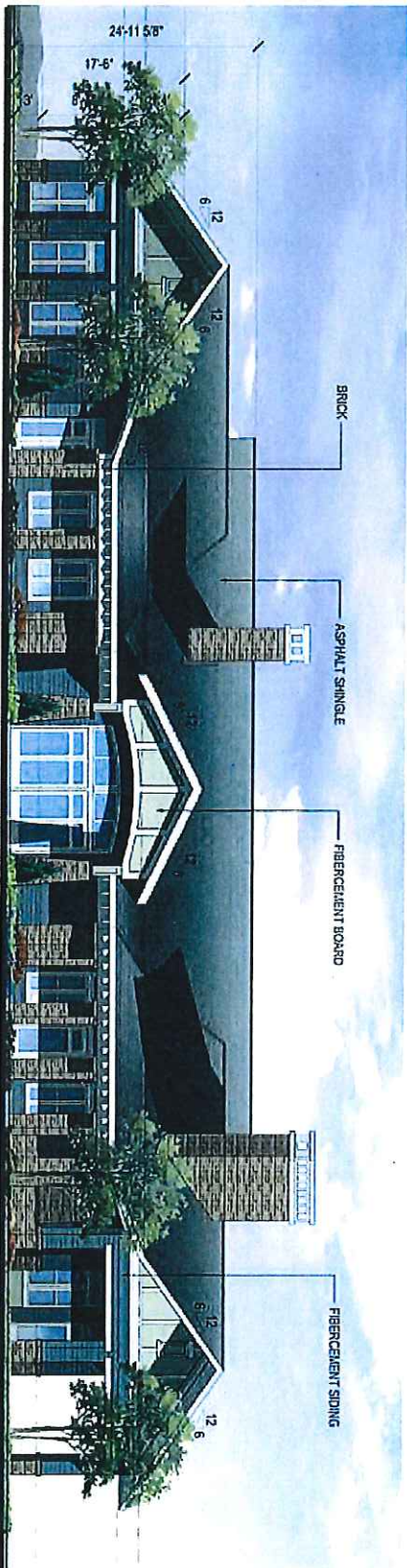


01 ELEVATION 01 - TYPE II  
SCALE: 3/32" = 1'-0"









38% MASONRY  
23% FIBERCEMENT PANEL  
41% FIBERCEMENT SIDING

# CLUBHOUSE - ELEVATION 02

A803



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2013.04.01

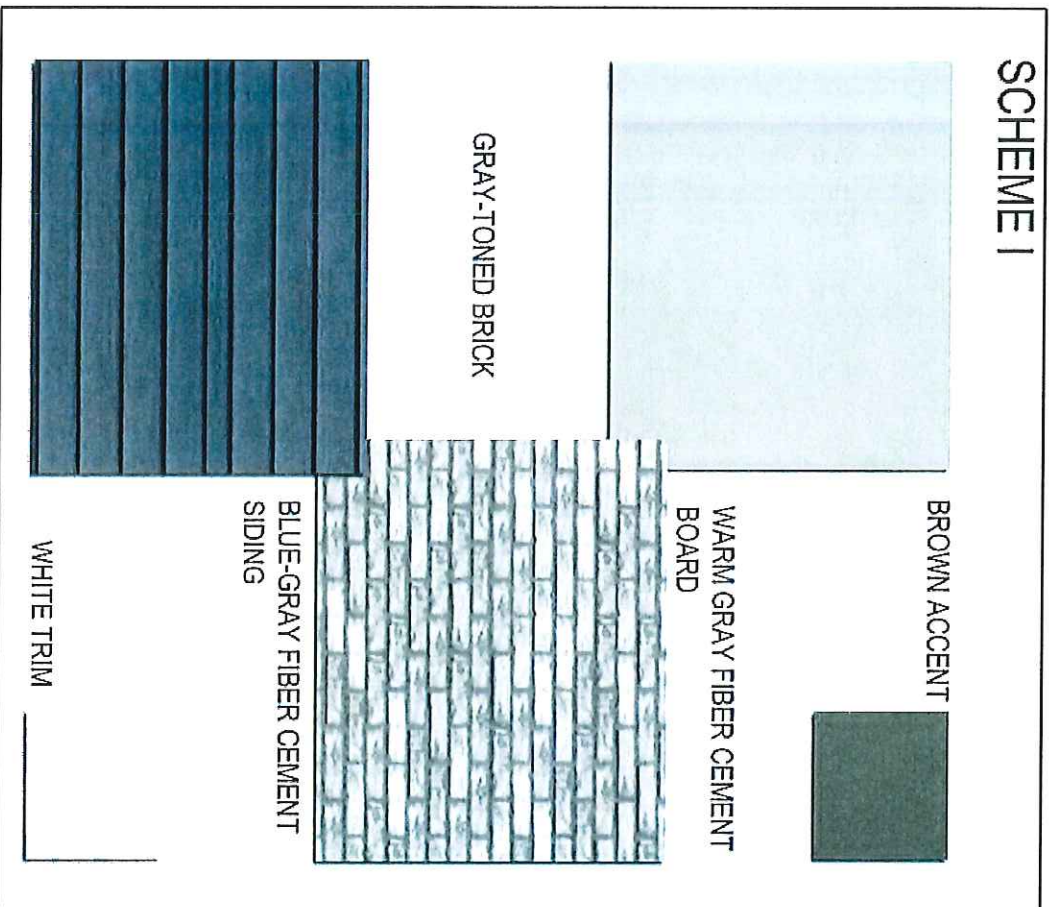
HAZEL DELL  
MAEFIELD DEVELOPMENT  
INDIANAPOLIS, IN

HPA#12089

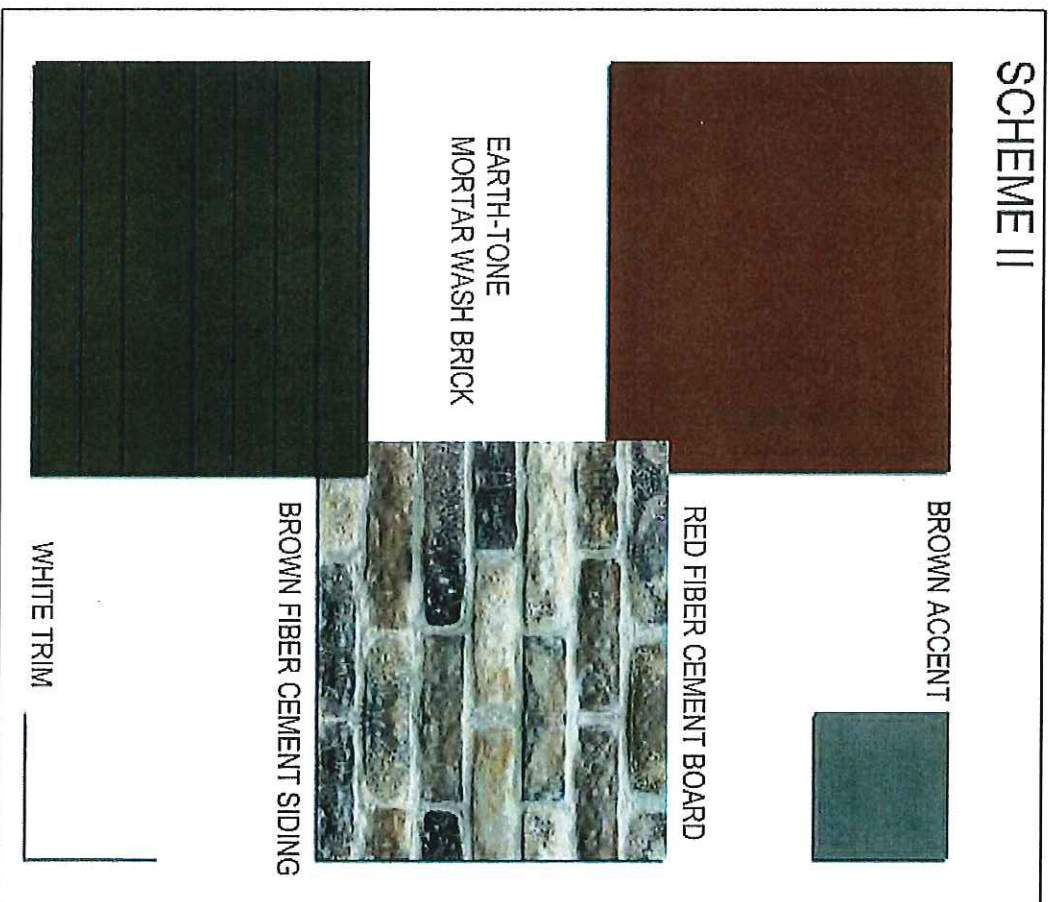


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## SCHEME I



## SCHEME II



## MATERIAL SHEET

### HAZEL DELL

MAEFIELD DEVELOPMENT

INDIANAPOLIS, IN

2013.04.01

HPA#12069



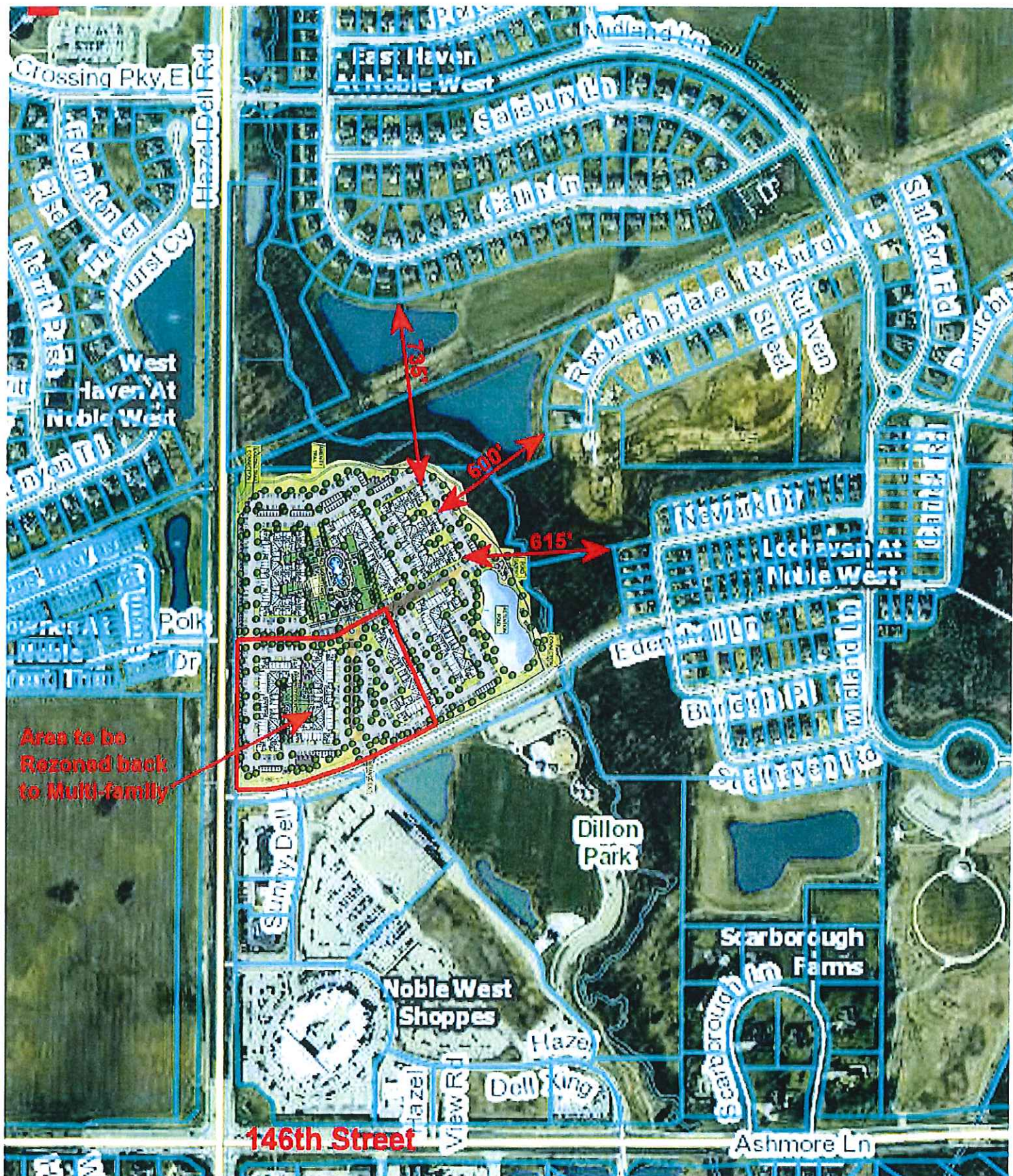
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## Location Map



# Exhibit L

HATCHED AREA SUBJECT TO TREE PRESERVATION COMMITMENT. REFER TO ZONING DOCUMENTS FOR DETAILS.

146TH STREET

EDENSHALL ROAD

This is a detailed site plan for a residential development. The plan shows a central area with a circular feature, possibly a fountain or a central courtyard, surrounded by various building footprints and parking lots. A large, irregularly shaped area on the right side of the plan is filled with a cross-hatch pattern, indicating a tree preservation commitment. This hatched area is bordered by a road labeled 'EDENSHALL ROAD' at the bottom. To the left of the main development, there is a road labeled '146TH STREET'. The plan also shows a curved road at the top left and a small, irregularly shaped area at the bottom right. The overall layout suggests a planned residential community with a central focus and surrounding green spaces.

<div style="text-align: center;">   C11         </div>	<div style="text-align: center;">   STRUCTUREPOINT         </div>	<div style="text-align: center;"> <b>TREE PRESERVATION EXHIBIT</b> </div>		<div style="text-align: center;">   STRUCTUREPOINT         </div>
		<div style="text-align: center;"> <b>PROJECT:</b>  <b>NOBLE WEST APARTMENTS</b>  <b>HAZEL DELL ROAD</b>  <b>NOBLESVILLE, INDIANA</b> </div>	<div style="text-align: center;"> <b>PREPARED FOR:</b>  <b>MAEFIELD DEVELOPMENT</b>  <b>280 E. 96TH ST., STE 210</b>  <b>INDIANAPOLIS, INDIANA 46240</b> </div>	