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Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
01-18-2006 At 11:27 am.
ORDINANCE 19.00

ORDINANCE NO. 94-11-05

Document Cross Reference No.

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 to amend Ordinance No. 36-7-04 previously approved pursuant to 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 05N-15-1790 as required by law in regard to the application filed by Pebble Brook Village, LLC (the "Developer") to amend Ordinance No. 36-7-04 and the previously approved Pebble Brook Village preliminary development plan; and,

WHEREAS, the Plan Commission at their November 21, 2005 meeting sent its favorable recommendation to the Noblesville Common Council by a vote of 9 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 Ordinance No. 36-7-04 and the previously approved Pebble Brook Village preliminary development plan 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 northwest corner of Little Chicago Road and State Road 32, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate currently is zoned VCPD Village Center Planned Development District.

SECTION 2. The amended preliminary development plan attached hereto as "Exhibit 2," the architectural guidelines and illustrative elevations attached hereto as "Exhibit 3", the landscaping plan attached hereto as "Exhibit 4" and the sign plan attached hereto as "Exhibit 5" are adopted as part of this ordinance. The landscaping plan shall provide at least the number of trees and shrubs as required by the City's landscaping ordinance, but the trees and shrubs may be located as shown on the landscaping plan.

SECTION 3. All uses allowed in the VCPD District are allowed. Drive-through windows are allowed only for restaurant, bank, pharmacy, coffee shop and cleaners uses. All wall signs shall use individual channel letters and shall otherwise comply with the applicable provisions of the City's Development Ordinance.

SECTION 4. This ordinance, its exhibits and the amended 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. Awnings may be used as signage and shall otherwise comply with the applicable provisions of the City's Development Ordinance. No internally-lit awnings, however, will be permitted. The PD Standards supersede the Standards in the City's Development Ordinance to the extent the PD Standards vary, alter or modify the Standards in the City's Development Ordinance. The Standards in the City's

Development Ordinance, however, shall apply to the extent that the PD Standards do not vary, alter or modify them.

SECTION 5. The Developer has agreed to the following commitments: 1) to provide public entrances from the two end tenants of the multi-tenant buildings located along Pebble Brook Lane; 2) present the option to the interior tenants to utilize Pebble Brook Lane as a public entrance, although a public entrance along Pebble Brook Lane is not required for the interior tenants; 3) no drain spouts or utilities will be located on the façade of the buildings facing Pebble Brook Lane; 4) provide for significantly enhanced building facades along Pebble Brook Lane in compliance with Exhibit 3 of this ordinance; 5) deliveries and trash pick-up along Pebble Brook Lane will be prohibited; 6) street trees, benches and other features will be installed along Pebble Brook Lane to enhance the streetscape as per Exhibit 4 of this ordinance; 7) dumpsters and utilities for the two multi-tenant buildings along Pebble Brook Lane will be located between the two buildings; 8) the professional office sign will be located beyond the required buffer yard for State Road #32; and 9) the Developer will petition INDOT for the removal of the right-of-way fence along State Road #32 and will agree to maintain that portion of the right-of-way at the time of removal of the fence.

SECTION 6. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 13th day of December 2005.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

Alan Hinds Alan Hinds
Laurie Jackson Laurie Jackson
Kathie Stretch Kathie Stretch
Dale Snelling Dale Snelling
Terry Busby Terry Busby
Mary Sue Rowland Mary Sue Rowland
Brian Ayer Brian Ayer

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 13th day of December, 2005.

John Ditslear
John Ditslear, Mayor
City of Noblesville, IN

ATTEST:

Janet Jaros
Janet Jaros, Clerk-Treasurer

Prepared by: Steven D. Hardin, Esq., Attorney-At-Law, Bingham McHale, LLP
970 Logan Street, Noblesville, IN 46060

Exhibits are on file and may be viewed in the City of Noblesville Clerk-Treasurer's Office.

PEBBLE BROOK VILLAGE

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 33, Township 19 North, Range 4 East, Noblesville Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the said Quarter Section; thence South 89 degrees 50 minutes 41 seconds West along the South line of said Quarter Section 402.17 feet; thence North 00 degrees 42 minutes 24 seconds East 48.34 to a point on the North right-of-way line of State Road #32, said point also being the POINT OF BEGINNING of this description; said point also being a point on a curve concave northerly, the radius point of said curve being North 00 degrees 02 minutes 50 seconds West 122,725.89 feet from said point; thence westerly along said curve and along said North right-of-way line 111.24 feet to the point of tangency of said curve, said point being South 00 degrees 00 minutes 17 seconds West 122,725.89 feet from the radius point of said curve; thence South 89 degrees 52 minutes 22 seconds West along said North right-of-way line 958.24 feet; thence North 00 degrees 07 minutes 38 seconds West 645.30 feet; thence North 89 degrees 52 minutes 10 seconds East 419.28 feet; thence North 00 degrees 07 minutes 50 seconds West 12.93 feet to the point of curvature of a curve concave westerly, the radius point of said curve being South 89 degrees 52 minutes 10 seconds West 250.00 feet from said point; thence northerly along said curve 82.46 feet to the point of tangency of said curve, said point being North 70 degrees 58 minutes 23 seconds East 250.00 feet from the radius point of said curve; thence North 19 degrees 01 minutes 37 seconds West 94.94 feet to the point of curvature of a curve concave easterly, the radius point of said curve being North 70 degrees 58 minutes 23 seconds East 200.00 feet from said point; thence northerly along said curve 18.00 feet to the point of tangency of said curve, said point being South 75 degrees 33 minutes 24 seconds West 200.00 feet from the radius point of said curve; thence North 89 degrees 52 minutes 10 seconds East 223.80 feet; thence South 00 degrees 07 minutes 50 seconds East 199.04 feet; thence North 89 degrees 52 minutes 10 seconds East 69.99 feet; thence South 00 degrees 07 minutes 50 seconds East 255.21 feet; thence North 89 degrees 52 minutes 22 seconds East 388.40 feet; thence South 00 degrees 07 minutes 38 seconds East 50.00 feet; thence North 89 degrees 52 minutes 22 seconds East 26.95 feet; thence South 00 degrees 12 minutes 33 seconds East 169.81 feet; thence South 08 degrees 08 minutes 43 seconds West 68.83 feet; thence South 00 degrees 42 minutes 25 seconds West 102.42 feet to the place of beginning. Containing 14.391 acres, more or less, subject to all legal highways, rights-of-ways, easements, and restrictions of record.



PETERSON ARCHITECTURE

305 West North Clark St. Suite 200, Phoenix, AZ 85001-4355
 P: 602.317.7700 F: 602.317.5218
 TOLL FREE: 800.500.1575

RETAIL BUILDINGS
PEBBLE BROOK VILLAGE
 97 RD 30 & LITTLE CHICAGO
 NOBLESVILLE, INDIANA
PEBBLE BROOK VILLAGE, LLC

CONCEPTUAL DESIGN
 JULY 27 2004

REVISIONS
1 REVISION DATE
2 REVISION DATE
3 REVISION DATE
4 REVISION DATE
5 REVISION DATE

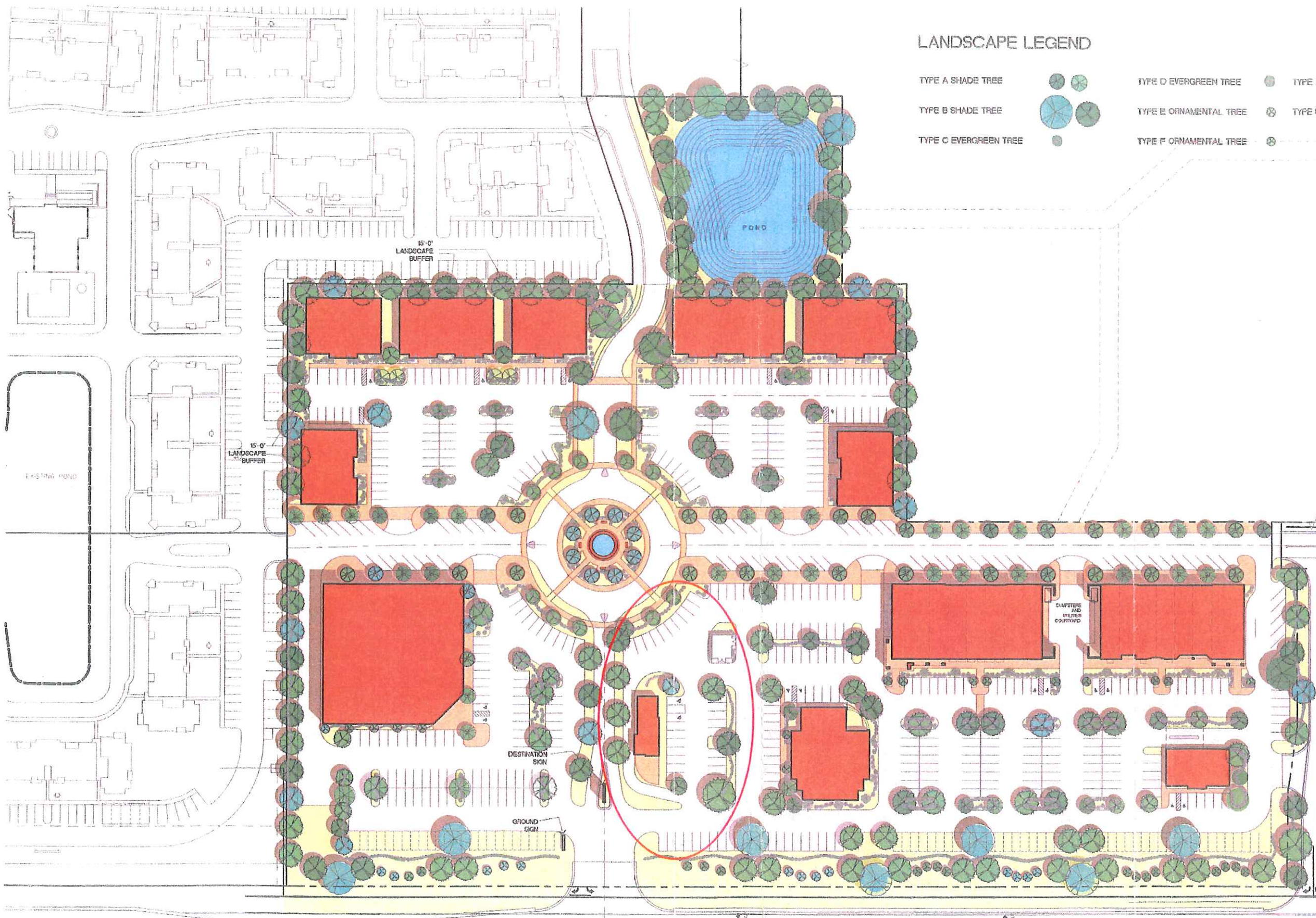
DRAWER NO. 12
 DRAWN BY: R. McALL
 CHECKED BY: D. PETERSON
 PROJECT NUMBER: 03-016-0

CONCEPTUAL LANDSCAPE PLAN
L100

THESE DRAWINGS ARE GIVEN IN CONFIDENCE AND SHALL BE USED ONLY IN ACCORDANCE WITH THE AGREEMENT WITH PETERSON ARCHITECTURE, INC. NO OTHER USE OR REPRODUCTION MAY BE MADE WITHOUT THE WRITTEN CONSENT OF PETERSON ARCHITECTURE, INC. ALL OTHER COPYRIGHT AND PROPRIETARY RIGHTS ARE HEREBY SPECIFICALLY RESERVED.

LANDSCAPE LEGEND

- TYPE A SHADE TREE
- TYPE B SHADE TREE
- TYPE C EVERGREEN TREE
- TYPE D EVERGREEN TREE
- TYPE E ORNAMENTAL TREE
- TYPE F ORNAMENTAL TREE
- TYPE A SHRUB
- TYPE B SHRUB



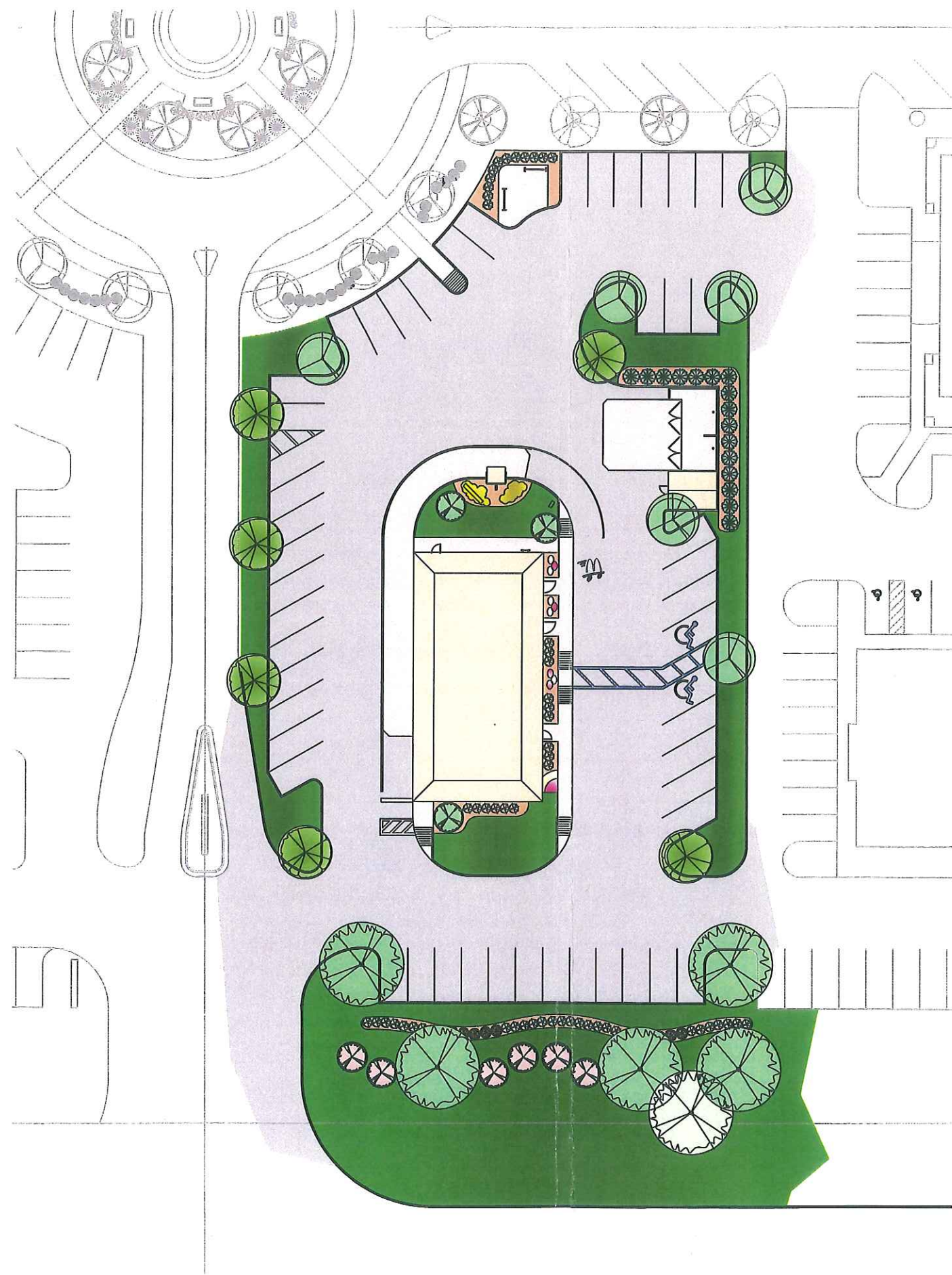
STATE ROAD 32

LANDSCAPE PLAN
 SCALE 1" = 50'-0"





McDONALDS AT PEBBLE BROOK VILLAGE CONCEPTUAL SITE PLAN



LANDSCAPE LEGEND

TYPE A TREE



GUM SOUR

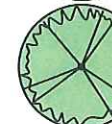


PEAR, CHANTICLEER

TYPE B TREE



WHITE ASH



GOLDEN RAIN TREE

TYPE C TREE



ARBORVITAE, HOLMSTRUP

TYPE E TREE



DOGWOOD, KOUSSA



REDBUD, EASTERN

TYPE A SHRUB



BURNING BUSH, DWARF



PRIVET

TYPE B SHRUB



BOXWOOD



JUNIPER, SEA GREEN



REV.	SYMBOL	DATE	DESCRIPTION



PROJECT NAME
McDONALD'S RESTAURANTS

INDIANAPOLIS REGION

PROJECT LOCATION
PEBBLE BROOK VILLAGE
NOBLESVILLE, IN

PROJECT NUMBER
0544

DRAWN BY
G. LUKAS

CHECKED

LANDWATER
Group Inc.
4420 Junction Moore Pike
Columbus, IN 47201
812.342.9703 Fax 812.342.9726

• FLOOD PLAN MANAGEMENT • DRAINAGE ENGINEERING • SITE DEVELOPMENT • LAND PLANNING

CERTIFIED
SHEET NAME CONCEPTUAL SITE PLAN
SHEET NUMBER CLP1
PLAN DATE SEPTEMBER 19, 2005

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