

ORDINANCE NO. 28-4-03

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

An ordinance to amend the Unified Development Ordinance for 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 has conducted a public hearing as required by law in regard to the application for a change of zone district designation and planned development as filed by Pedcor Investments-2003-L, L.P. and,

WHEREAS, the Plan Commission at their April 21, 2003 meeting has sent its recommendation to the Noblesville Common Council in the following manner by a vote of 8 in favor and 3 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. That the subject real estate located near the northeast corner of State Road 37 and State Road 32 in Noblesville, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, In. is hereby rezoned from the Planned Development PB-R5 classification pursuant to Ordinance No. 10-2-01 recorded as Instrument No. 200100023166 to an R5 classification, and the amended preliminary development plan is adopted as Exhibit B and designated in said Unified Development

Ordinance for the City of Noblesville, Hamilton County, Indiana, and said real estate is more particularly described as follows:

See attached Exhibit A (LEGAL DESCRIPTION)

SECTION 2. That the Preliminary Development Plan marked Exhibit "B" has the variations described on the Preliminary Development Plan, which would otherwise be applicable to the subject real estate including a limit of only 208 units and development standards and commitments incorporated herein, made a part hereof and marked as Exhibit "C".

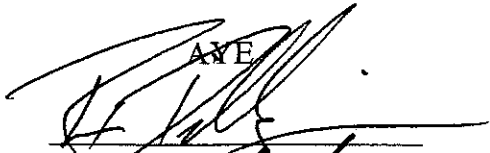
SECTION 3. Planned Unit Development Standards. Whereas, the development standards established by this Ordinance and the attached exhibits supercede the development standards of the Unified Development Ordinance of the City of Noblesville, Indiana; provided, however that unless a development standard, guideline, or requirement is specified in the Unified Development Ordinance is varied, altered, or modified by this Ordinance and/or its exhibits, then such development standard, guideline, or requirement as specified in the Unified Development Ordinance shall apply.

SECTION 4. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this _____ day of _____, 2003.

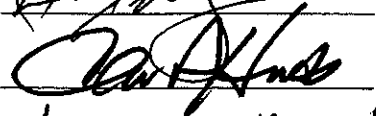
COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

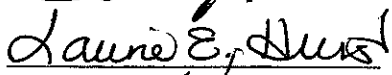
NAY



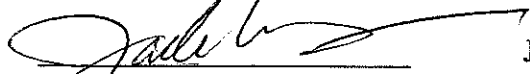
Rex Dillinger



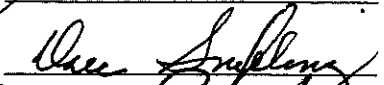
Alan Hinds



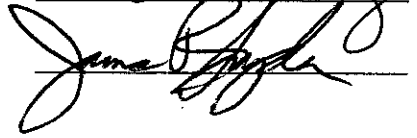
Laurie E. Hurst



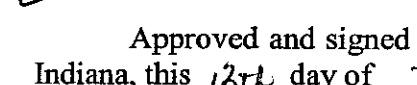
Jack Martin



Jay McCoskey

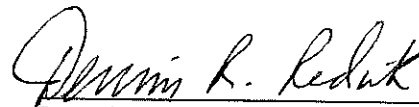


Dale Snelling



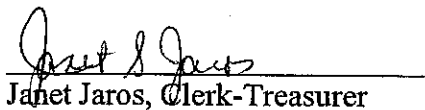
James R. Snyder

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 13th day of May, 2003.



Dennis R. Redick, Mayor
City of Noblesville, Indiana

ATTEST:


Janet Jaros, Clerk-Treasurer

Land Description

A part of the East Half of the Southwest Quarter of Section 32, Township 19 North, Range 5 East of the Second Principal Meridian, Hamilton County, Indiana, more particularly described as follows:

Beginning at a 5/8 inch diameter capped rebar (set) marking the Northwest corner of said East Half Quarter; thence North 89 degrees 38 minutes 58 seconds East (assumed bearing) 920.06 feet coincident with the North line of said East Half Quarter to a 5/8 inch diameter capped rebar (set); thence South 00 degrees 07 minutes 38 seconds West 1014.05 feet parallel with the East line of said East Half Quarter to a 5/8 inch diameter capped rebar (set); thence North 89 degrees 55 minutes 16 seconds West 543.00 feet to a 5/8 inch diameter capped rebar (set); thence North 00 degrees 04 minutes 31 seconds East 231.64 feet parallel with the West line of said East Half Quarter to a 5/8 inch diameter capped rebar (set); thence North 89 degrees 55 minutes 16 seconds West 376.12 feet to a 5/8 inch diameter capped rebar (set) on the West line of said East Half Quarter; thence North 00 degrees 04 minutes 31 seconds East 775.52 feet coincident with said West line to the Point of Beginning containing 19.334 acres (842,202 square feet).

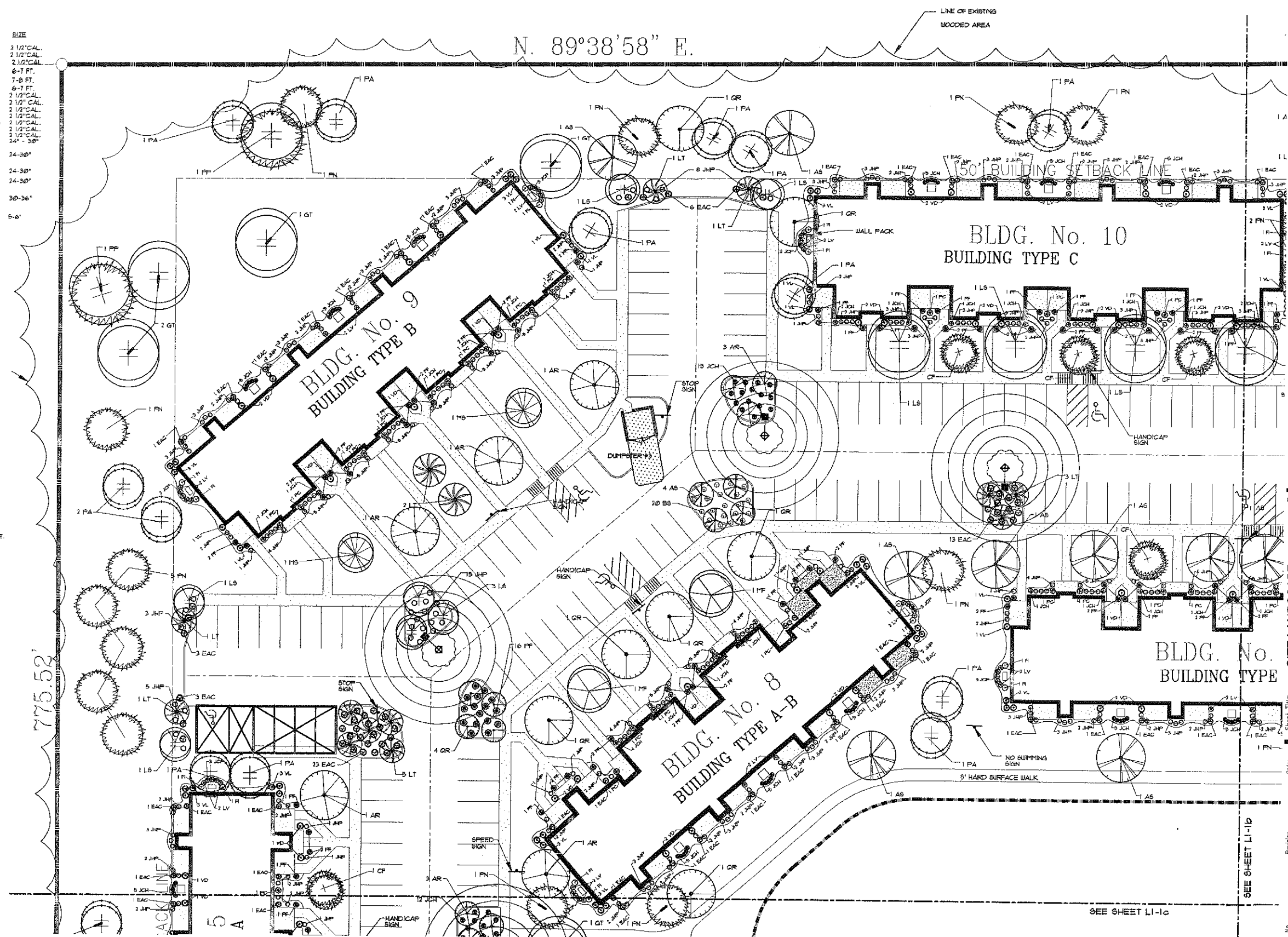
Subject to all pertinent Easements, Rights-of-Way and Restrictions.

SITE PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE
AR	ACER RUBRUM	RED MAPLE	2 1/2" CAL.
AS	ACER SACCHARUM	SUGAR MAPLE	2 1/2" CAL.
GT	GLIODITISIA SHADENMASTER	SHADENMASTER LOCUST	2 1/2" CAL.
PA	PICEA ABIES	NORWAY SPRUCE	6-7 FT.
PN	PINUS NIGRA	AUSTRIAN PINE	7-8 FT.
PP	PICEA PLUNGENS	BLUE SPRUCE	6-7 FT.
LS	LIQUIDAMBAR STYRACIFLUA	SWEET GUM	2 1/2" CAL.
QR	QUERCUS RUBRA	RED OAK	2 1/2" CAL.
CF	CORNUS FLORIDA	FLOWERING DOGWOOD	1 1/2" CAL.
LT	LIRIODENDRON TULIP	TULIP TREE	2 1/2" CAL.
MF	MALUS FLORIBUNDA	FLORIBUNDA FLOWERING CRAB	2 1/2" CAL.
MS	MALUS ENCIPIPENSIS	ENCIPIPENSIS FLOWERING CRAB	2 1/2" CAL.
PC	PYRUS CALLERYANA	CALLARY PEAR	2 1/2" CAL.
BS	BUNUS SEMPERVIRENS 'ANTARCTICA'	COMMON BOXWOOD	14" - 36"
EAC	EUONYMUS ALATUS 'COMPACTUS' BUSH	DWARF BURN	14-30"
PF	POTENTILLA FRUTICOSA	POTENTILLA	14-30"
JHP	JUNIPERUS HORIZ. 'PLUMOSA' JUNIFER	ANDORRA	14-30"
JCH	JUN. CHIN. 'HETZI' GLAUCA'	HETZ BLUE JUN.	30-36"
CAS	CALAMAGROSTIS ACUTIFLORA 'STRICTA'	FEATHER REED GRASS	6-6"

LEGEND
 INDICATES SIGNAGE
 SEE ABOVE PLAN FOR DESCRIPTION OF SIGN (SEE DETAILS ON SHEET L1-3).
 INDICATES "SITE AREA LIGHT"
 SEE DETAILS ON L1-3.

- NOTES:**
- LANDSCAPE CONTRACTOR TO VERIFY ALL UTILITIES AND SITE CONDITIONS PERTAINING TO THIS WORK PHASE. ALL PLANTING TO BE GUARANTEED FOR ONE GROWING SEASON.
 - ALL AREAS NOT INDICATED OR RECD TO BE OTHERWISE ARE TO BE REEDED.
 - ANY EXISTING VEGETATION TO BE REMOVED, UNLESS OTHERWISE INDICATED.
 - NO TREES, SHRUBS LIGHTING, ETC., IS TO BE LOCATED DIRECTLY OVER SANITARY SEWER MAINS, LATERALS OR MANHOLES.
 - THERE SHALL NOT BE ANY CHEMICAL TURF MANAGEMENT WITHIN THE CONSERVATION PLANTING AREA. THIS INCLUDES ANNUAL FERTILIZATION & SELECTIVE HERBICIDES. AN INITIAL APPLICATION OF FERTILIZER TO ENHANCE STAND ESTABLISHMENT IS ACCEPTABLE.



SITE LANDSCAPE PLAN
 1" = 20'-0"

SCOPE DOCUMENT
 THESE DOCUMENTS INDICATE THE GENERAL CONCEPTS OF THE LANDSCAPE DESIGN. THE ARCHITECTURAL, MECHANICAL, ELECTRICAL, AND STRUCTURAL DRAWINGS AND THE SITE WORK SHALL BE ACCURATE FOR FULL PERFORMANCE OF THE CONTRACT. ON THE BASIS OF THE CONTRACT, THE LANDSCAPE CONTRACTOR SHALL FURNISH THE TRADE CONTRACTOR SHALL FURNISH THE EXECUTION AND COMPLETION OF THE WORK.
 MECA design group
 No. 374
 DATE: APRIL 23, 2003
 CERTIFIED BY: [Signature]

MECA design group
 ARCHITECTS
 521 East County Line Road Suite A, Greenwood, Indiana, 46143
 Phone: 317.881.4780 www.meca-design.com fax: 317.882.4083

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SITE LANDSCAPE PLAN
 PRINCETON LAKES APARTMENTS
 NOBLESVILLE, INDIANA

Project Title:
 Date:
 Revision:

No.
 Date: APRIL 23, 2003
 Project No: 02195
 Drawn By: JB
 Checked By:

L1-1a

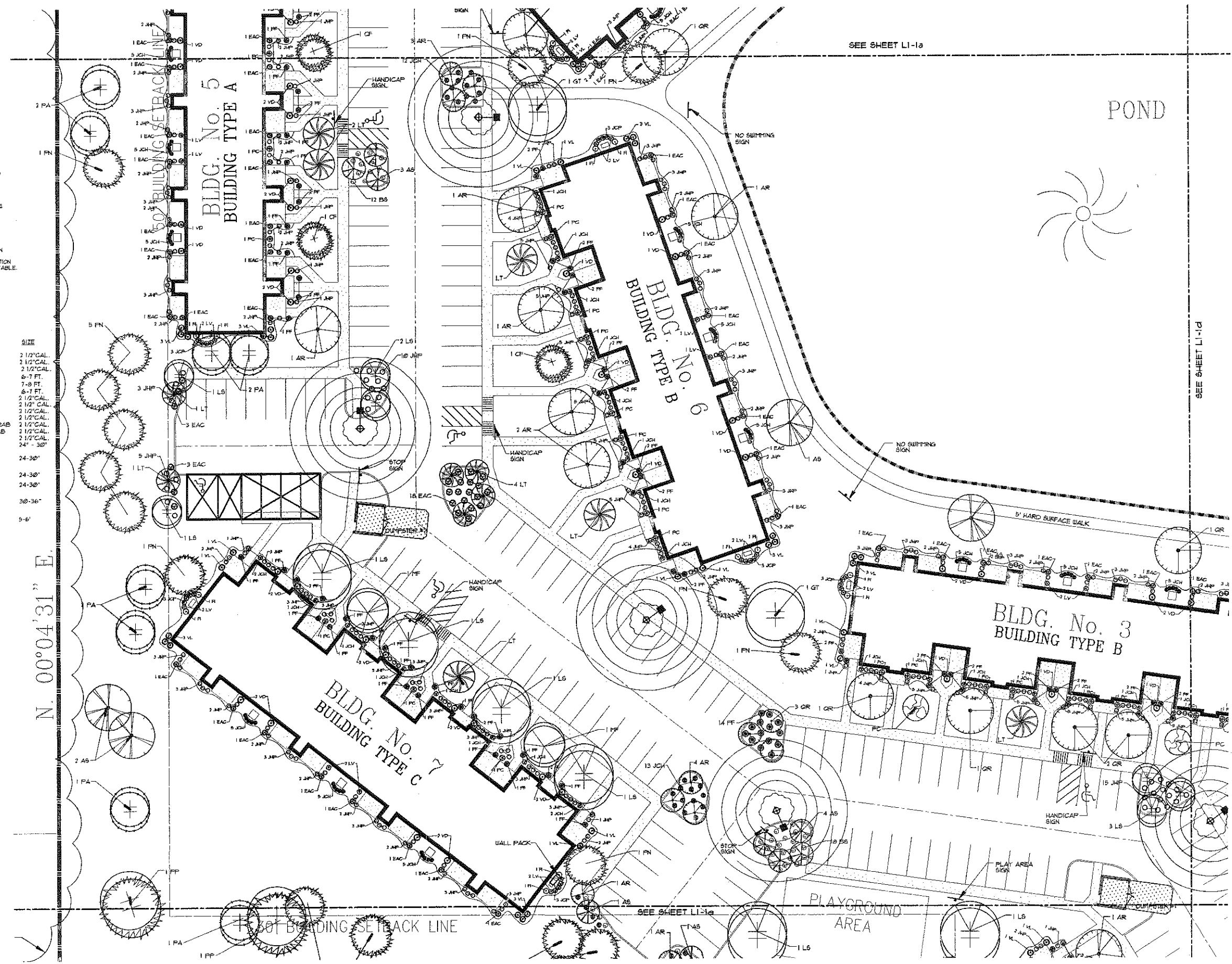
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AR	ACER RUBRUM	RED MAPLE	2 1/2" CAL.
AS	ACER SACCHARINUM	SUGAR MAPLE	2 1/2" CAL.
GT	GLADIOLIA SHADEMASTER	SHADEMASTER LOCUST	2 1/2" CAL.
PA	PICEA ABIES	NORWAY SPRUCE	6-7 FT.
PN	FINUS NIGRA	AUSTRIAN PINE	7-8 FT.
PP	PICEA PUNGENS	BLUE SPRUCE	6-7 FT.
LS	LIQUIDAMBAR STYRACIFLUA	SWEET GUM	2 1/2" CAL.
OR	QUERCUS RUBRA	RED OAK	2 1/2" CAL.
CF	CORNUS FLORIDA	FLOWERING DOGWOOD	2 1/2" CAL.
LT	LIRIODENDRON TULIP	TULIP TREE	2 1/2" CAL.
MF	MALUS FLORIBUNDA	FLORIBUNDA FLOWERING CRAB	2 1/2" CAL.
M6	MALUS SNOWDRIFT	SNOWDRIFT FLOWERING CRAB	2 1/2" CAL.
PC	PYRUS CALLERYANA	CALLARY PEAR	2 1/2" CAL.
BS	BUXUS SEMPERVIRENS	COMMON BOXWOOD	24" - 36"
EAC	ELIANTHUS ALATUS	DWARF BURN.	24-30"
FF	POTENTILLA FRUTICOSA	POTENTILLA	24-30"
JHP	JUNIPERUS HORIZ.	ANDORRA	24-30"
JCH	JUN. CHIN.	HETZ BLUE JUN.	30-36"
CAS	CALAMAGROSTIS ACUTIFLORA	FEATHER REED GRASS	9-6"

LEGEND

- INDICATES SIGNAGE. SEE ABOVE PLAN FOR DESCRIPTION OF SIGN (SEE DETAILS ON SHEET LI-3).
- INDICATES "SITE AREA LIGHT" SEE DETAILS ON LI-3.



SITE LANDSCAPE PLAN
1" = 20'-0"

SEE SHEET LI-1a

POND

SEE SHEET LI-1d

SITE LANDSCAPE PLAN

Princeton Lakes Apartments
Noblesville, Indiana

Date: APRIL 23, 2003
Project No: 02195
Drawn By: JB
Checked By:

L1-1c

SCOPE DOCUMENT

THESE DOCUMENTS INDICATE THE GENERAL SCOPE OF THE PROJECT IN TERMS OF THE DESIGN OF THE BUILDING, THE MAJOR MECHANICAL, ELECTRICAL, PLUMBING, AND STRUCTURAL SYSTEMS. THEY DO NOT INDICATE THE REQUIREMENTS FOR THE CONSTRUCTION OF THE PROJECT. ALL ITEMS REQUIRED FOR THE EXECUTION AND COMPLETION OF THE PROJECT ARE TO BE PROVIDED BY THE CONTRACTOR.

MECA design group
ARCHITECTURE

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Tel: 317.881.4760 www.meca-design.com Fax: 317.882.4883

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NOTES:

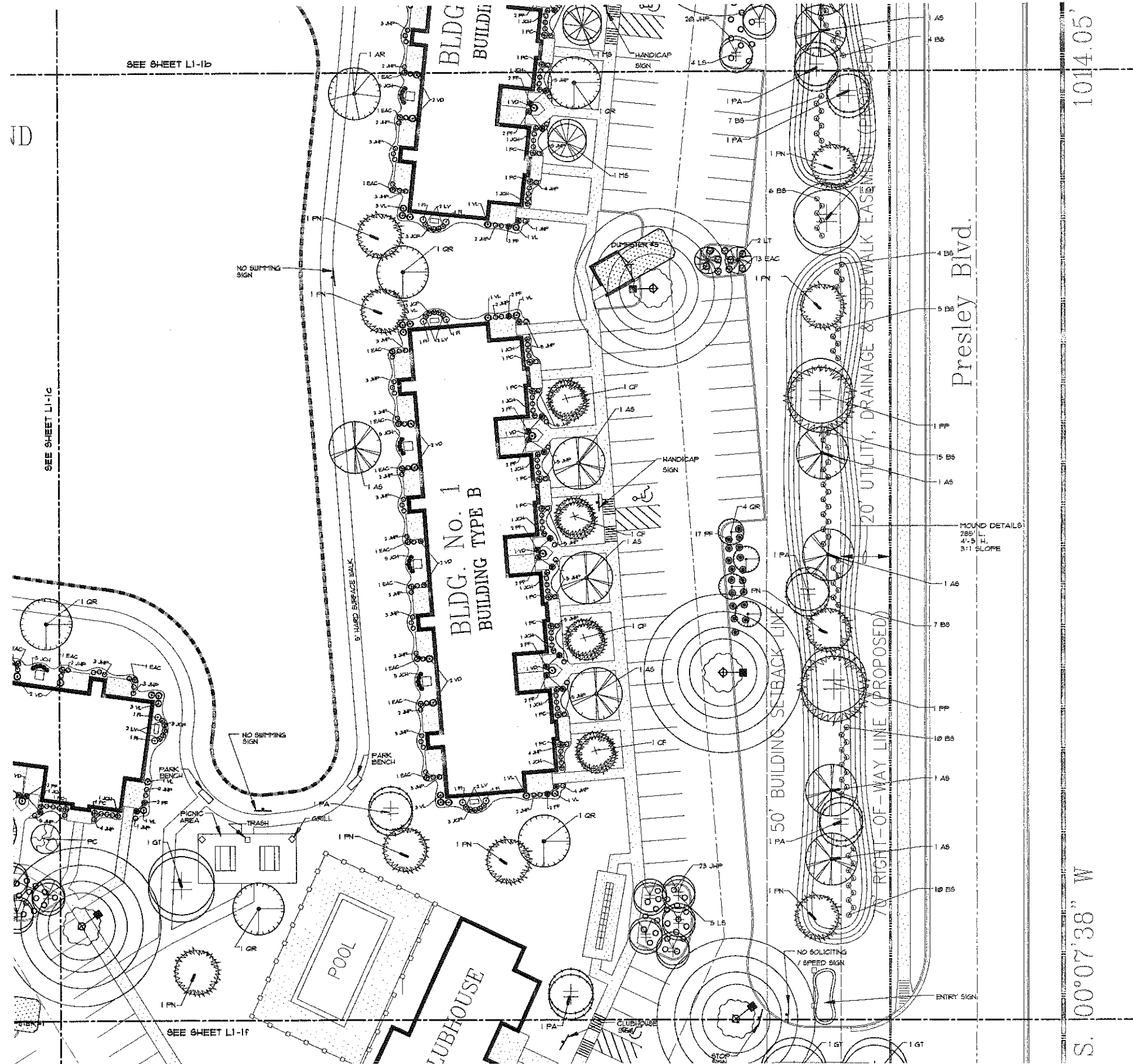
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PA	FICIA ABIES	NORWAY SPRUCE	6-7 FT.
FN	FINUS NIGRA	AUSTRIAN FINE	7-8 FT.
FP	FICIA FUNGENS	BLUE SPRUCE	6-7 FT.
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JHP	JUNIPERUS HORIZ. 'FLUOSAUUNIFER'	ANDORRA	24-30"
JCH	JUN. CHIN. 'HETZI' GLAUCA'	HETZ BLUE JUN.	30-36"
CAS	CALAMAGROSTIS ACUTIFLORA 'STRICTA'	FEATHER REED GRASS	5-6'

LEGEND

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SITE LANDSCAPE PLAN
1" = 20'-0"

SCOPE DOCUMENT

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MECA design group
ARCHITECTS

3741
SITE

Michael C. Cole
CERTIFIED BY

MECA design group
ARCHITECTS

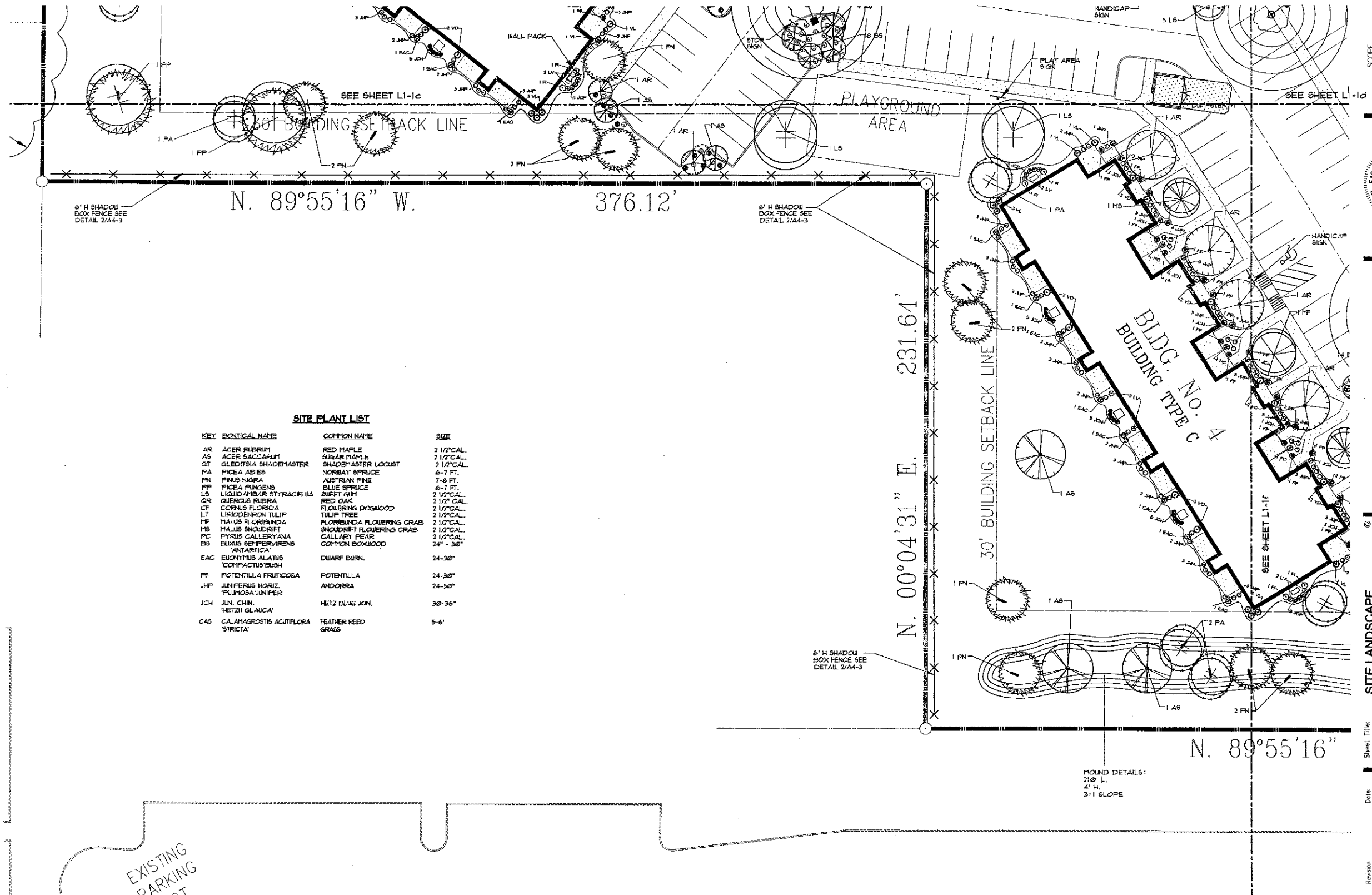
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tele: 317.881.4760 www.meca-design.com fax: 317.882.4083

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SITE LANDSCAPE PLAN
PRINCETON LAKES APARTMENTS
NOBLESVILLE, INDIANA

Sheet Title: SITE LANDSCAPE PLAN
Project Title: PRINCETON LAKES APARTMENTS
Date: APRIL 23, 2003
Project No: 02195
Drawn By: JB
Checked By:

L1-1d



SITE PLANT LIST

KEY	BOTANICAL NAME	COMMON NAME	SIZE
AR	ACER RUBRUM	RED MAPLE	2 1/2\"CAL.
AS	ACER SACCHARUM	SUGAR MAPLE	2 1/2\"CAL.
GT	GLEDTISIA SHADEMASTER	SHADEMASTER LOCUST	2 1/2\"CAL.
PA	PICEA ABIES	NORWAY SPRUCE	6-7 FT.
PN	PINUS NIGRA	AUSTRIAN PINE	7-8 FT.
PF	PICEA FRAXENSIS	BLUE SPRUCE	6-7 FT.
LS	LIQUIDAMBAR STYRACIFLUA	SWEET GUM	2 1/2\"CAL.
OR	QUERCUS RUBRA	RED OAK	2 1/2\"CAL.
CF	CORNUS FLORIDA	FLOWERING DOGWOOD	2 1/2\"CAL.
LT	LIRIODENDRON TULIP	TULIP TREE	2 1/2\"CAL.
MF	MALUS FLORIBUNDA	FLORIBUNDA FLOWERING CRAB	2 1/2\"CAL.
MB	MALUS SNOWDRIFT	SNOWDRIFT FLOWERING CRAB	2 1/2\"CAL.
PC	PYRUS CALLERYANA	CALLARY PEAR	2 1/2\"CAL.
BS	BUXUS SEMPERVIRENS ANTARTICA	COMMON BOXWOOD	24\" - 30\"
EAC	EUONYMUS ALATUS COMPACTUS	DWARF BURN.	24-30\"
PF	POTENTILLA FRUTICOSA	POTENTILLA	24-30\"
JHP	JUNIFERUS HORIZ. PLUMOSA	ANDORRA	24-30\"
JCH	JUN. CHIN. 'HETZII GLAUCA'	HETZII BLUE JUN.	30-36\"
CAS	CALAMAGROSTIS ACUTIFLORA STRICTA	FEATHER REED GRASS	5-6'

LEGEND

- T — INDICATES SIGNAGE SEE ABOVE PLAN FOR DESCRIPTION OF SIGN (SEE DETAILS ON SHEET LI-3).
- □ — INDICATES "SITE AREA LIGHT" SEE DETAILS ON LI-3.

NOTES:

1. LANDSCAPE CONTRACTOR TO VERIFY ALL UTILITIES AND SITE CONDITIONS PERTAINING TO THIS WORK PHASE. ALL PLANTING TO BE GUARANTEED FOR ONE GROWING SEASON.
2. ALL AREAS NOT INDICATED OR REQ'D TO BE OTHERWISE ARE TO BE SEED'D.
3. ANY EXISTING VEGETATION TO BE REMOVED, UNLESS OTHERWISE INDICATED.
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5. THERE SHALL NOT BE ANY CHEMICAL TURF MANAGEMENT WITHIN THE CONSERVATION PLANTING AREA. THIS INCLUDES ANNUAL FERTILIZATION & SELECTIVE HERBICIDES. AN INITIAL APPLICATION OF FERTILIZER TO ENHANCE STAND ESTABLISHMENT IS ACCEPTABLE.

SITE LANDSCAPE PLAN

1\" = 20'-0\"

SCOPE DOCUMENT
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 ARCHITECTS
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SITE LANDSCAPE PLAN
PRINCETON LAKES APARTMENTS
 NOBLESVILLE, INDIANA

Sheet Title: _____
 Project Title: _____

Date: _____

Revision: _____

No. _____

Date: APRIL 23, 2003
 Project No: 02195
 Drawn By: JB
 Checked By: _____

L1-1e

LEGEND

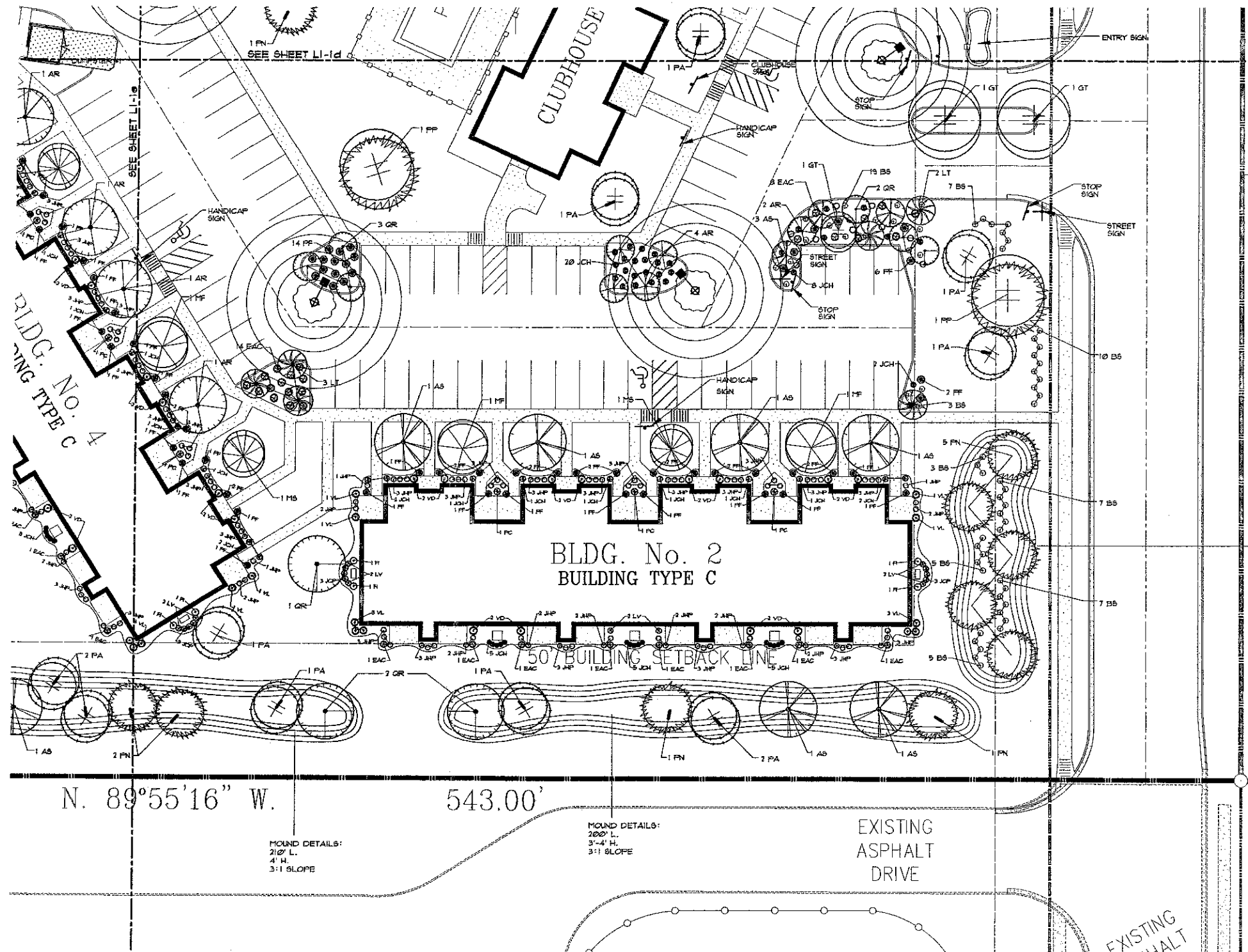
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PA	PICEA ABIES	NORWAY SPRUCE	6-7 FT.
PN	PINUS NIGRA	AUSTRIAN PINE	7-8 FT.
PP	PICEA PUNGENS	BLUE SPRUCE	6-7 FT.
LS	LIQUIDAMBAR STYRACIFLUA	SWEET GUM	2 1/2" CAL.
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MS	MALUS SNOWDRIFT	SNOWDRIFT FLOWERING CRAB	2 1/2" CAL.
PC	RYLIS GALLERIANA	CALLARY PEAR	2 1/2" CAL.
BS	BUXUS SEMPERVIRENS 'ANTARTICA'	COMMON BOXWOOD	24" - 30"
EAC	EUCONYMUS ALATUS 'COMPACTUS'	DWARF BURNING BUSH	24-30"
FF	POTENTILLA FRUTICOSA	POTENTILLA	24-30"
JHP	JUNIPERUS HORIZ.	ANDORRA	24-30"
JCH	JUN. CHIN. 'HETZII GLAUCIA'	HETZII BLUE JUN.	30-36"
CAS	CALAMAGROSTIS AQUIFLORA 'STRICTA'	FEATHER REED GRASS	5-6'



SITE LANDSCAPE PLAN
1" = 20'-0"

SCOPE DOCUMENT

THIS DOCUMENT INDICATES THE GENERAL CONCEPTS OF THE LANDSCAPE DESIGN. THE ARCHITECTURAL DETAILS AND THE TYPE OF PLANTING TO BE USED SHALL BE DETERMINED BY THE LANDSCAPE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

MECA design group
No. 3741
STATE OF INDIANA
Professional Seal
Michele Z. Cola
CERTIFIED BY

MECA design group

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PRINCETON LAKES APARTMENTS
NOBLESVILLE, INDIANA

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Project No: 02195
Drawn By: JB
Checked By: _____

L1-1f

**COMMITMENTS CONCERNING
THE DEVELOPMENT AND USE OF REAL ESTATE**

In accordance with the Indiana Code Section 36-7-4-615 and Indiana Code 36-7-4-1512 et seq., the undersigned, Pedcor Investments-2003-L, L.P. (hereinafter referred to as "Pedcor"), owner/contract purchaser of the following described real estate located in Hamilton County, Indiana makes the following commitments concerning the use and development of real estate ("Commitments") to the Noblesville Plan Commission and/or the Noblesville City Council.

1. Description of Real Estate.

See Exhibit "A" ("Real Estate").

2. Ordinance No. _____ passed by the Noblesville City Council on _____, _____.

3. Statement of Commitments.

A. These commitments shall impose development standards with respect to the Planned Business Development located near the northeast corner of State Road 37 and State Road 32 in Hamilton County, Indiana; legally described on attached Exhibit "A" attached hereto and made a part hereof.

4. Condition Precedent and Effective Date. These commitments shall be effective only upon the condition precedent that the Noblesville Plan Commission and the Noblesville City Council approve the preliminary detailed development plans submitted by Pedcor Investments-2003-L, L.P. and Pedcor obtains all administrative permits to construct, develop and finance the project including, but not limited to, economic development financing from the City of Noblesville. In addition, Pedcor is purchasing the property from Home Depot USA, Inc. and is required to close on the subject real estate before the recording of these commitments.

5. Development Standards for Improvement on Real Estate. The developmental standards for the development are depicted on the revised preliminary development plan. The revised development plan includes, but is not limited to landscaping, building placement, sidewalks, water features on retention pond and tree preservation. The revised preliminary development plan is incorporated herein and marked as Exhibit B.

6. Exterior Construction Material. Pedcor commits to construct the exterior elevations of the buildings depicted on the exterior elevations construction drawings, said drawings are incorporated herein and made a part hereof and marked as Exhibits C, D and E.

7. Landscaping. The landscaping developmental standards are depicted on the incorporated revised preliminary development plan which is attached and marked as Exhibit B.

These commitments, by the initiated request of the owner/contract purchaser, Pedcor Investments-2003-L, L.P., is successors or assigns, may be modified by the Noblesville Plan Commission or other governmental unit exercising jurisdiction after notice and hearing.

PEDCOR INVESTMENTS-2003-L, L.P.

By: Noblesville Housing Company, LLP,
Its General Partner

By: Pedcor Affordable Management, Inc.
Its Managing Partner

Dated: _____

By: _____
Maureen M. Houglan
Vice President and Secretary

STATE OF INDIANA)
) SS:
COUNTY OF HAMILTON)

Before me, a Notary Public in and for said County and State, personally appeared Maureen M. Houglan, of Pedcor Investments-2003-L, L.P., and who acknowledged the execution of the foregoing Commitments, and who, having been duly sworn, stated that the representations contained herein are true.

Witness my hand and Notarial Seal this _____ day of April, 2003.

Notary Public
Printed: _____

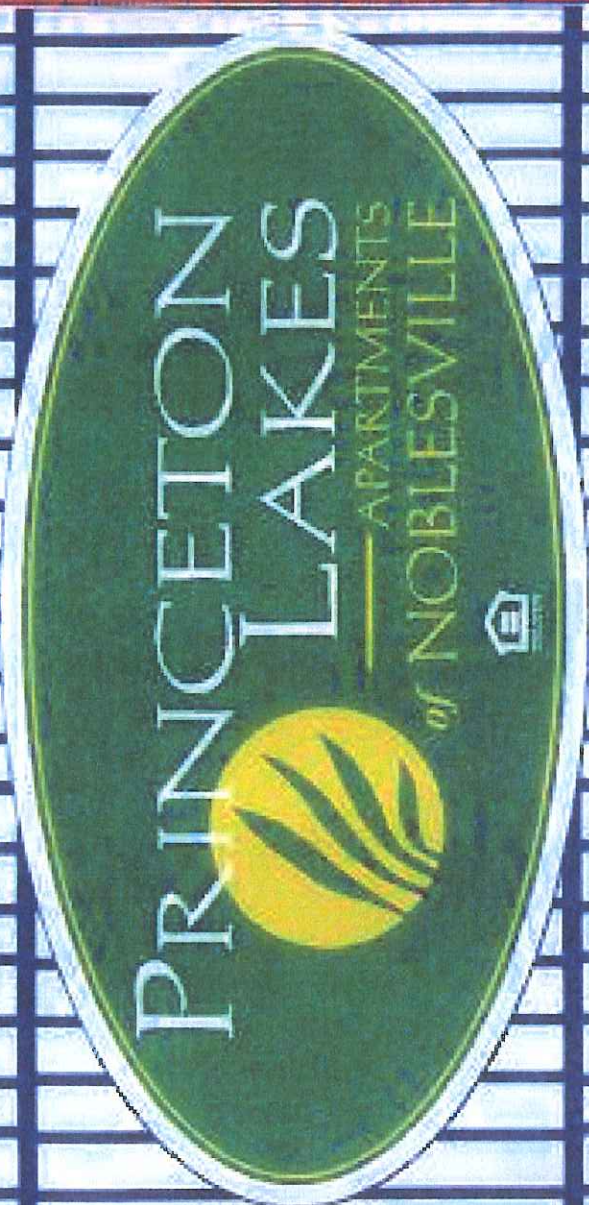
My Commission Expires: _____

My County of Residence: _____

Instrument prepared by Gordon D. Byers, Attorney at Law, 949 Conner St., Suite 101
Noblesville, IN 46060 (317) 773-3221.

2'

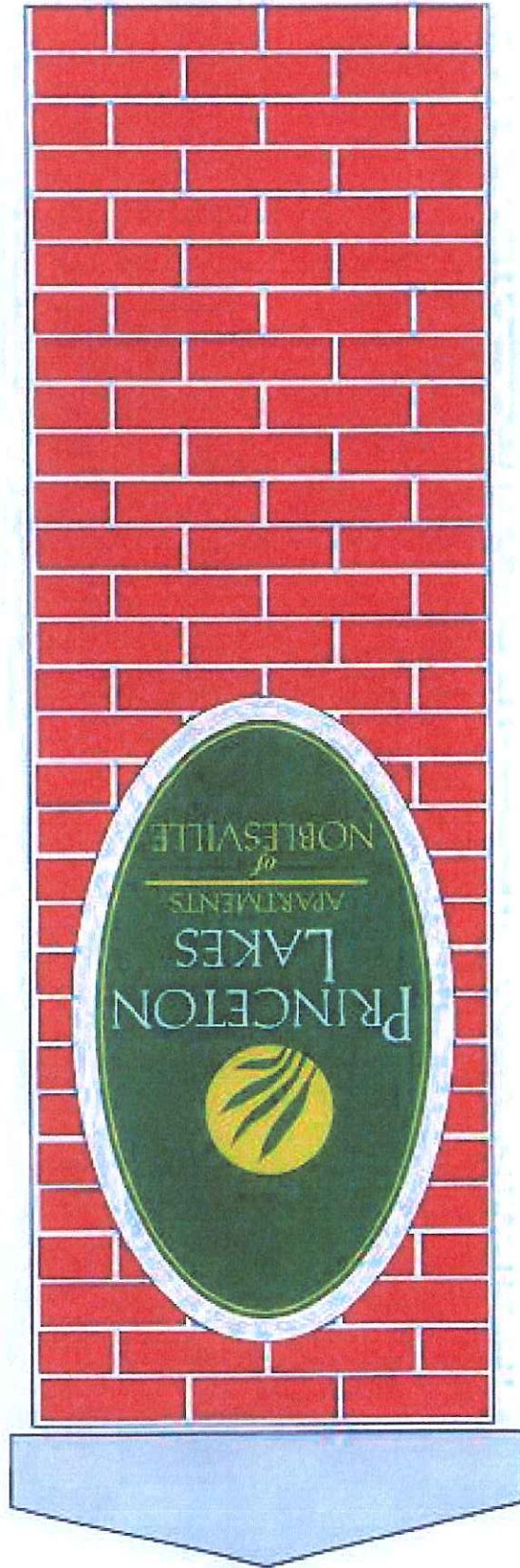
SIGN SIZE 42"X7'



6'

SOUTHERN ENTRANCE SIGN

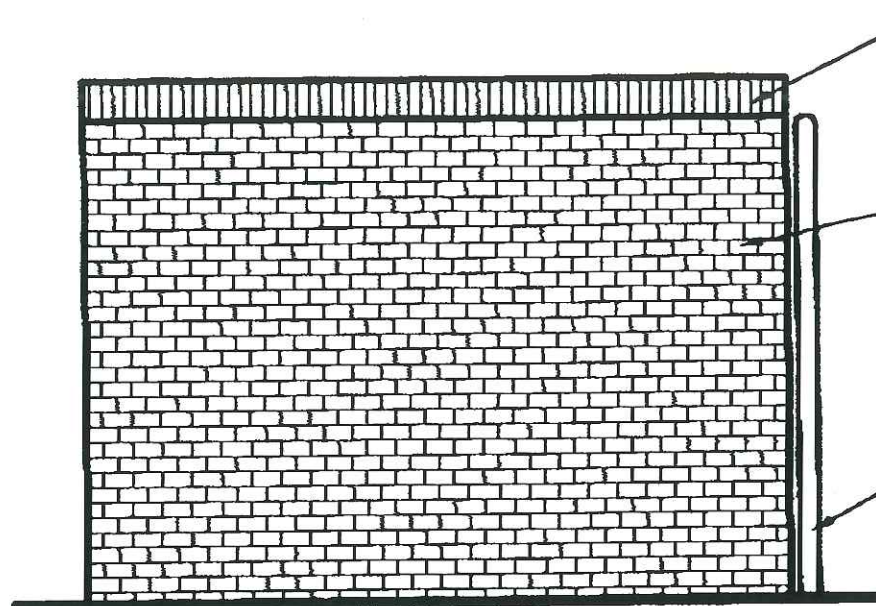
**SIGN SIZE
30" X 18"**



6'

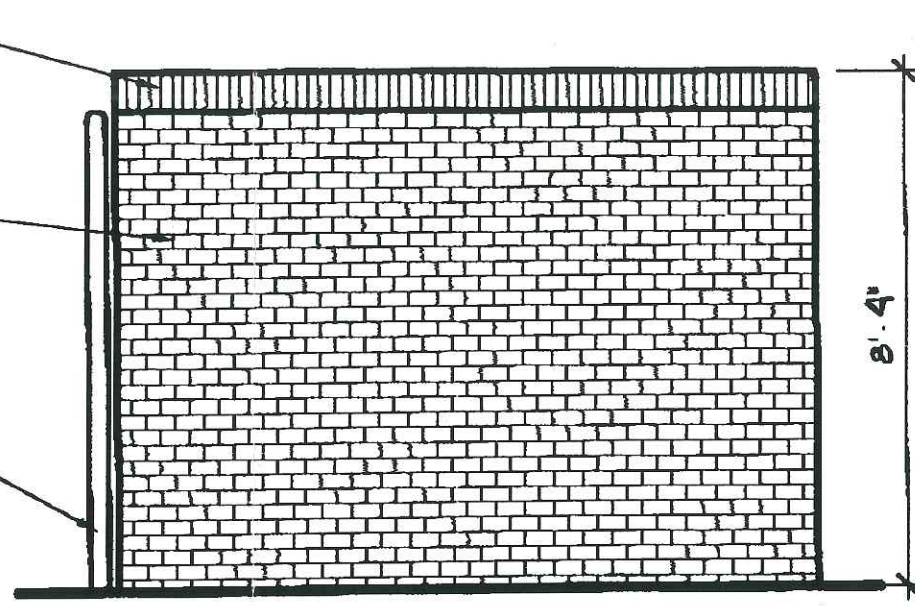
2'

NORTHERN ENTRANCE SIGN



LEFT ELEVATION

1/4" = 1'-0"

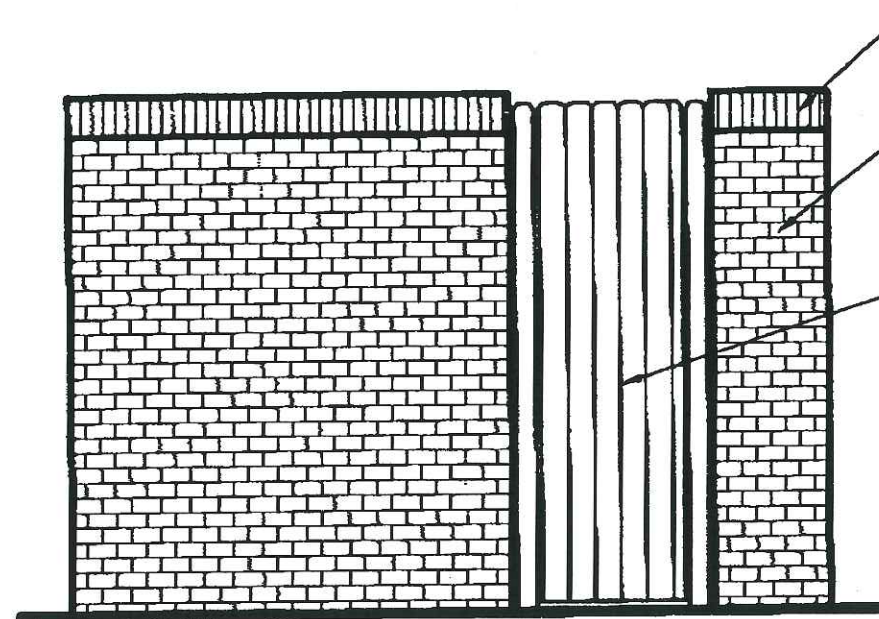


RIGHT ELEVATION

1/4" = 1'-0"

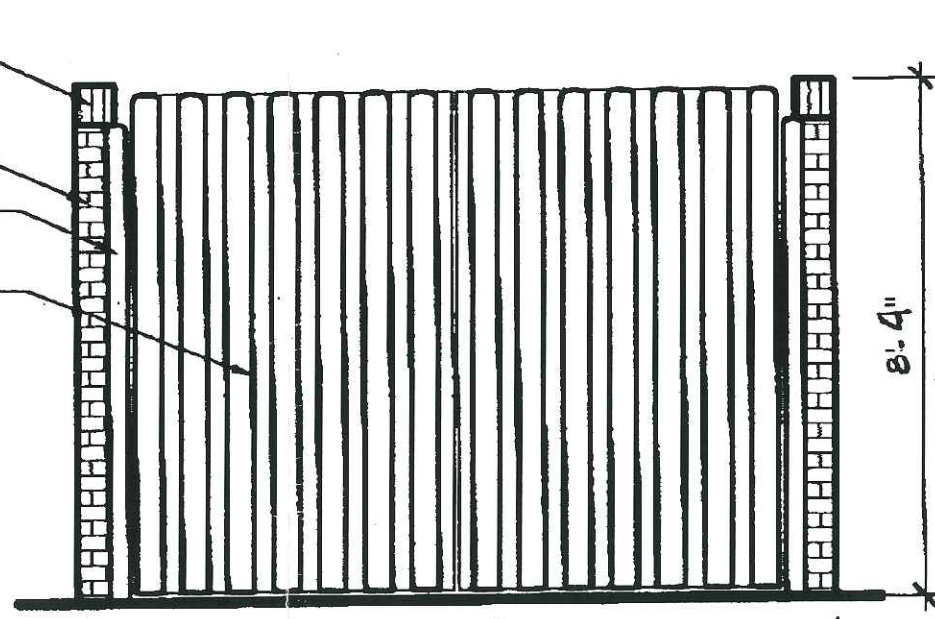
8'-4"

12'-0"



REAR ELEVATION

1/4" = 1'-0"



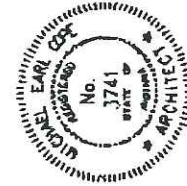
FRONT ELEVATION

1/4" = 1'-0"

8'-4"

13'-0"

SCOPE DOCUMENT
 THESE DOCUMENTS HEREBY ARE GRANTED TO THE USER OF THE PROJECT IN TERMS OF THE ARCHITECT'S PROFESSIONAL LIABILITY AND THE ARCHITECT'S LIABILITY TO THE USER OF THE PROJECT. THE ARCHITECT DOES NOT WARRANT, REPRESENT OR GUARANTEE THE ACCURACY, COMPLETENESS OR QUALITY OF ANY INFORMATION OR DATA PROVIDED TO THE ARCHITECT BY THE USER OF THE PROJECT. THE ARCHITECT SHALL NOT BE RESPONSIBLE FOR THE USER OF THE PROJECT'S NEGLIGENCE OR MISFEASANCE. ALL INFORMATION AND DATA PROVIDED TO THE ARCHITECT SHALL BE THE PROPERTY OF THE ARCHITECT AND SHALL REMAIN CONFIDENTIAL FOR THE USER OF THE PROJECT AND SHALL NOT BE DISCLOSED TO ANY OTHER PARTY WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT.



CERTIFIED BY

MECA design group
 ARCHITECTS
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DUMPSTER ELEVATIONS
 PRINCETON LAKES APARTMENTS
 NOBLESVILLE, INDIANA

Date: 04-28-03
 Project No: 0293
 Drawn By: B
 Checked By:

1 of 1

