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200500069095
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
10-20-2005 At 10:28 am.
ORDINANCE 15.00

ORDINANCE NO. 75-9-05

Document Cross- Reference No. 2002-81382 and 2003-2694

**AN ORDINANCE TO AMEND ORDINANCE #1-3-92 CREATING A PLANNED
BUSINESS PLANNED DEVELOPMENT FOR REAL ESTATE LOCATED IN THE
CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA**

An ordinance to amend Ordinance #1-3-92, and all amendments thereto and the requirements of the Unified Development Ordinance for real estate located within the Planned Business Planned Development, as 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 #05N-15-1348 submitted by Paul Kozel and TL Capital One, LLC in Noblesville, Hamilton County, Indiana , and

WHEREAS, the Commission has sent to the Common Council its decision of September 19, 2005 meeting, reflecting a vote of 8 ayes and 0 nays with a favorable recommendation for adoption of the amendment, and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, as follows:

SECTION 1. That the subject real estate, Parcels No. 11-06-36-00-00-019.102, No. 11-06-36-03-02-006.000, 11-06-36-03-02-003.000, 11-036-36-03-02-005.000. No. 11-06-36-03-02-

004.000, and No. 11-06-36-00-00-019.102, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana, as per legal description attached as Exhibit A.

SECTION 2. The provisions of Ordinance #1-3-92 and all amendments thereto be amended to permit the construction of a multi-tenant commercial building containing approximately 12,600-SF as per Exhibit B, known as the Riveredge Shops and Building Elevations as per Exhibit C.

SECTION 3. That the attached Exhibits A, B, and C are hereby adopted, specifically for the construction of the multi-tenant commercial structure, including the following commitments: (1) planters with landscaping are required along the south and east sides of the structure, (2) that the new parking lot islands shall contain the required landscaping as per the Unified Development Ordinance, and that the service wall between the two structures shall be relocated to the west to create a landscaping area along the east side of the wall all previous commitments shall remain unchanged and in full force and effect unless previously amended by the Council.

SECTION 4. This ordinance and exhibits shall permit the development standards, specifications, guidelines, and/or requirements contained in the City of Noblesville's Unified Development Ordinance as of September 19, 2005. The adopted standards, specifications, guidelines, and/or requirements shall supersede the requirements of the City's Unified Development Ordinance to the extent the PD Standards vary, alter, or modify the Standards of the City's Unified Development Ordinance. The requirements in the City's Unified Development Ordinance, however, shall apply to the extent the PD Standards do not vary, alter, or modify said requirements.

SECTION 5. Upon motion duly made and seconded; this Ordinance was fully passed by the members of the Common Council this 11th day of October, 2005.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

[Signature]

Brian Ayer

Terry L. Busby

Terry L. Busby

[Signature]

Alan Hinds

Laurie Jackson

Laurie Jackson

[Signature]

Mary Sue Rowland

[Signature]

Dale Snelling

Kathie Stretch

Kathie Stretch

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this

11th day of October, 2005.

[Signature]

John Ditslear, Mayor
City of Noblesville, Indiana

ATTEST:

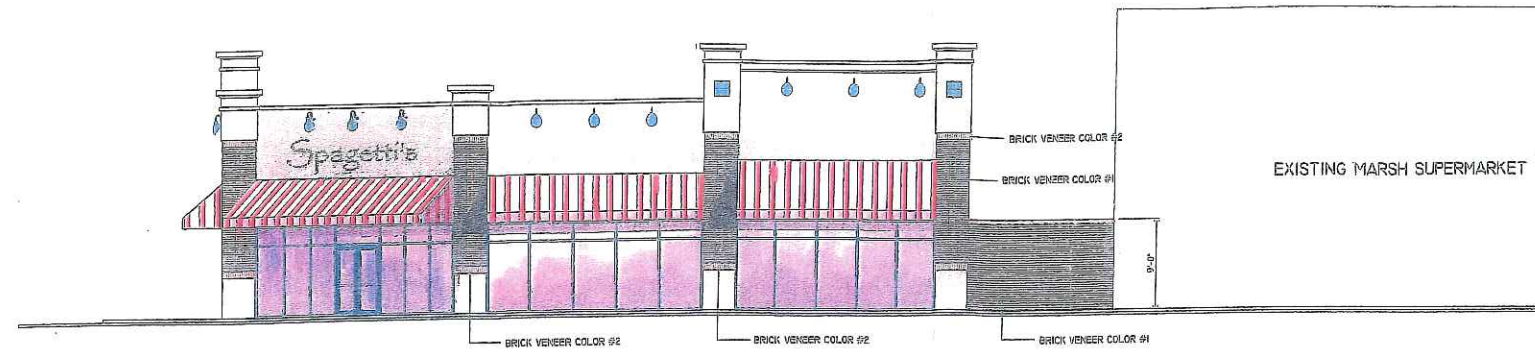
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Janet Jaros, Clerk-Treasurer

EXHIBIT A

A part of the Southwest Quarter of Section 36, Township 19 North, Range 4 East located in Noblesville, Hamilton County, Indiana, being described as follows:

Beginning at the southeast corner of Lot #1 in the plat of the Noblesville Medical Arts Building (Lot #1), Lot #2 and Lot #3 (said plat being recorded as Instrument #2001-82599 in Plat Cabinet 2, Slide 712 in the Office of the Recorder of Hamilton County, Indiana); thence North 89 degrees 38 minutes 58 seconds West (assumed bearing) 192.02 feet on and along the south line of said Lot #1 to the northeast corner of 0.682 of an acre tract of real estate described in Instrument No. 2000-47807; thence South 00 degrees 53 minutes 842.50 feet parallel with the west line of said southwest quarter on the northerly right-of-way line of State Road #32, being North 09 degrees 53 minutes 53 seconds West 2143.47 feet from the radius point of a curve to the right; thence Northeasterly 123.57 feet on and along said right-of-way line and said curve to the right to the southwest corner of a 1.42 acre tract of real estate described in Instrument #9918150 (the following 3 courses are on and along the westerly and northerly boundary line of said 1.42 acre tract); (1) thence North 00 degrees 30 minutes 00 seconds East 202.42 feet to the point of curvature of a curve to the right, said point being North 89 degrees 30 minutes 00 seconds West 35.00 feet from the radius point of said curve to the right; (2) thence northeasterly 60.38 feet on and along said curve to the right; (3) thence South 88 degrees 27 minutes 36 seconds East 233.76 feet to corner of said 1.42 acre tract (the northeast corner of said 1.42 acre tract also being the northwest corner of a tract of real estate described in Instrument No. 2002-7039); thence South 88 degrees 27 minutes 36 seconds East 293.75 feet to the northeast corner of the tract of real estate described in Instrument #2002-7039 (the following 4 courses are on and along the westerly right-of-way line of River Road as conveyed to the City of Noblesville, Indiana by deed recorded October 24, 2001 as Instrument No. 2001-68141); (1) thence North 00 degrees 00 minutes 00 seconds 62.94 feet; (2) thence North 90 degrees 00 minutes 00 seconds East 10.28 feet; (3) North 01 degrees 17 minutes 45 seconds East 265.36 feet; (4) thence North 14 degrees 11 minutes 45 seconds West 275.12 feet to the southeast corner of Lot #2 in said plat of Noblesville Medical Arts Building; thence North 89 degrees 38 minutes 58 seconds west 433.95 feet to the Point of Beginning. Containing 9.876 acres, more or less.



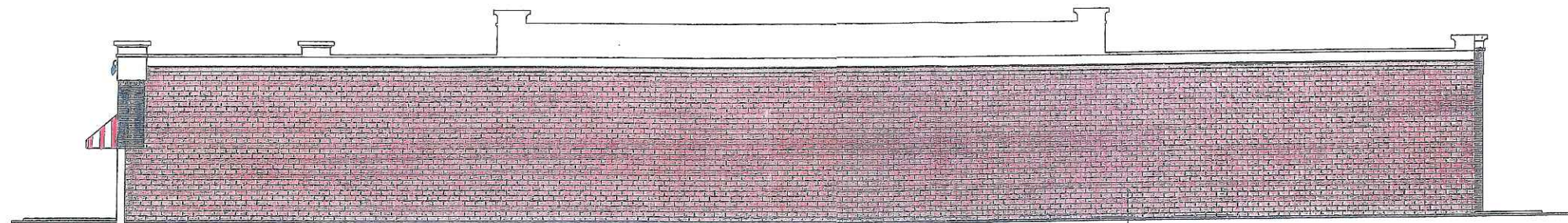
EAST ELEVATION

SCALE: 1/8" = 1'-0"



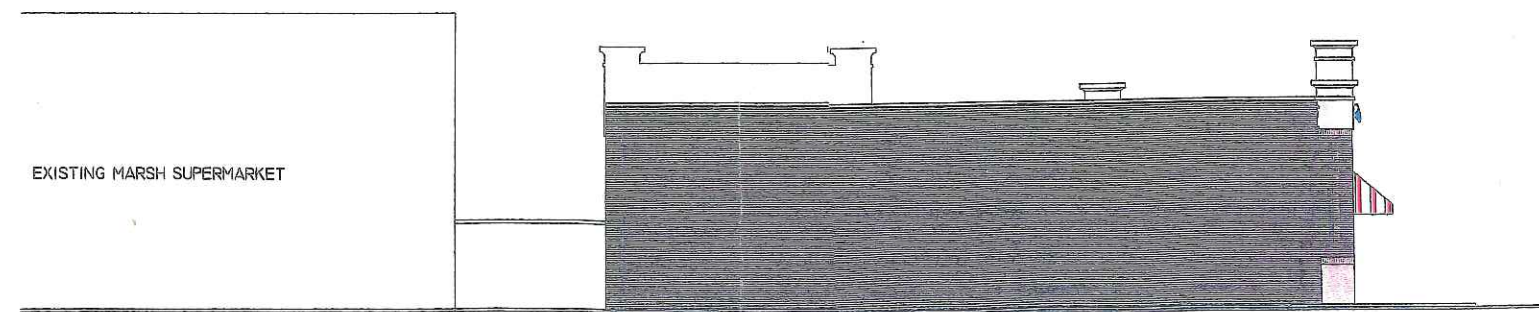
SOUTH ELEVATION

SCALE: 1/8" = 1'-0"



NORTH ELEVATION (SERVICE AREA)

SCALE: 1/8" = 1'-0"



WEST ELEVATION

SCALE: 1/8" = 1'-0"