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Jennifer J Hayden
HAMILTON County Recorder IN
Recorded as Presented

ORDINANCE NO. 30-6-08

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF CITY OF NOBLESVILLE, A PART OF THE COMPREHENSIVE MASTER PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA AND CHANGE OF ZONING AND ADOPTION OF A PRELIMINARY DEVELOPMENT PLAN AND STANDARDS FOR THE CONNER POINTE PLANNED DEVELOPMENT

Document Cross-Reference Number: 9756169

An ordinance (the "PD 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 has conducted a public hearing as required by law on Application Docket No. 08N-15-0843 as filed by law in regard to the application for a change of zoning district designation and adoption of a preliminary development plan filed by Noblesville Schools; and,

WHEREAS, The Plan Commission at their June 16, 2008 meeting sent its FAVORABLE recommendation to the Common Council of the City of Noblesville (the "Common Council") by a vote of 9 ayes and 1 nay.

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 be hereby amended as follows:

Section 1. The zoning classification of the subject property, legally described in what is attached hereto and incorporated herein referenced as Exhibit 'A' (the "Real Estate") and Aerial Photograph as Exhibit 'B', is hereby rezoned from the 'R2' Low to Moderate Density Single-Family Residential to R2/GUO Residential/Government Use Overlay classification as designated in the Unified Development Ordinance..

Section 2. The preliminary development plan as attached hereto as Exhibit 'C' - Conceptual Layout and the Site and Utility Plan as Exhibit 'D' are adopted as part of this ordinance.

Section 3. The preliminary development plan (Exhibit C) includes the following variations: (1) Elimination of the 50-FT peripheral landscape buffer yard and (2) Reduction of the parking lot setback to a minimum of 10-FT for the northern existing parking lot.

Section 4. The following Commitments have been incorporated into the Ordinance.

1. Dedication of rights-of-way along 191st Street, Cumberland Road, and 186th Street as per the adopted Thoroughfare Plan dated February 26, 2008.
2. The landscaping for the proposed soccer field parking lot shall be landscaped as per the adjacent parking lot to the south adhering to the intent of the landscaping section of the Unified Development Ordinance.

Section 5. This Planned Development Ordinance, and its exhibits approved by the Noblesville Plan Commission (collectively, the "PD Standards") identify and permit variations from the development standards, specifications, guidelines and/or requirements (collectively, the "Underlying Standards") contained in the UDO. The PD Standards supersede the Standards of the UDO to the extent the PD Standards vary, alter, or modify the Standards in the UDO. The Standards in the UDO dated December 2007, however, shall apply to the extent that the PD Standards do not vary, alter, or modify them.

Section 6. The Planning Director shall determine whether the Detailed Development Plans including without limitation the building elevations, site plans, landscape plans, signage elevations and locations and other requirements as per this ordinance or the Unified Development Ordinance are in substantial compliance with the Preliminary Development Plan that is approved by the Plan Commission and Council as a part of this planned development ordinance.

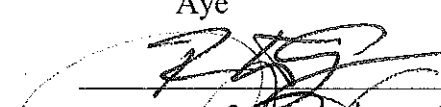



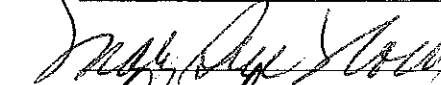

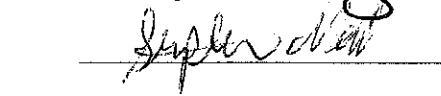
Section 7. This Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

Section 8. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Noblesville Common Council on this 15th day of July, 2008.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

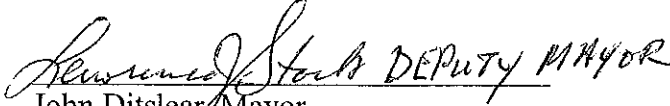
Aye

Nay

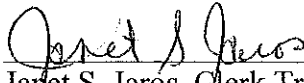
	_____	Brian Ayer	_____
	_____	Mark Boice	_____
	_____	Roy Johnson	_____
	_____	Greg O'Conner	_____
	_____	Mary Sue Rowland	_____
	_____	Dale Snelling	_____
	_____	Stephen C. Wood	_____

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Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 15th day of July 2008.


John Ditslear, Mayor
City of Noblesville, Indiana

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.

Joyceann Yelton
Printed Name of Declarant

Prepared by: Joyceann Yelton, Senior Planner, City of Noblesville, 16 South 10th Street, Noblesville, IN 46060 (317) 776-6325

LEGAL DESCRIPTION

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 29,
TOWNSHIP 19 NORTH, RANGE 5 EAST, IN HAMILTON COUNTY, INDIANA,
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID WEST HALF; THENCE
NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST (ASSUMED BEARING)
ALONG THE WEST LINE OF SAID WEST HALF 175.00 FEET TO THE POINT OF
BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING NORTH 00
DEGREES 00 MINUTES 00 SECONDS EAST ALONG SAID WEST LINE 2472.68
FEET TO THE NORTHWEST CORNER OF SAID WEST HALF; THENCE NORTH
89 DEGREES 02 MINUTES 26 SECONDS EAST ALONG THE NORTH LINE OF
SAID WEST HALF 1129.88 FEET TO A POINT ON THE WESTERN RIGHT OF
WAY OF STATE ROUTE 37 PER INDIANA STATE HIGHWAYS PLANS FOR
PROJECT NO. 097-7; THENCE SOUTH 00 DEGREES 06 MINUTES 15 SECONDS
WEST ALONG SAID RIGHT OF WAY 26.12 FEET; THENCE SOUTH 79 DEGREES
38 MINUTES 28 SECONDS EAST ALONG SAID RIGHT OF WAY 101.08 FEET;
THENCE SOUTH 49 DEGREES 22 MINUTES 52 SECONDS EAST ALONG SAID
RIGHT OF WAY 92.32 FEET TO A POINT ON THE EAST LINE OF SAID WEST
HALF; THENCE SOUTH 00 DEGREES 06 MINUTES 15 SECONDS WEST ALONG
SAID RIGHT OF WAY AND ALONG SAID EAST LINE 2265.32 FEET; THENCE
SOUTH 89 DEGREES 10 MINUTES 06 SECONDS WEST PARALLEL WITH THE
SOUTH LINE OF SAID WEST HALF 564.00 FEET; THENCE SOUTH 00 DEGREES
06 MINUTES 15 SECONDS WEST PARALLEL WITH THE AFORESAID EAST
LINE 175.00 FEET TO A POINT ON THE AFORESAID SOUTH LINE; THENCE
SOUTH 89 DEGREES 10 MINUTES 06 SECONDS WEST ALONG SAID SOUTH
LINE 256.46 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS
EAST PARALLEL WITH THE AFORESAID WEST LINE 175.00 FEET; THENCE
SOUTH 89 DEGREES 10 MINUTES 06 SECONDS WEST PARALLEL WITH THE
AFORESAID SOUTH LINE 517.00 FEET TO THE PLACE OF BEGINNING,
CONTAINING 76.774 ACRES, MORE OR LESS, SUBJECT TO ALL LEGAL
HIGHWAYS, EASEMENTS, RIGHTS OF WAY AND RESTRICTIONS OF RECORD.