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Jennifer Hayden  
HAMILTON County Recorder IN  
Recorded as Presented

**ORDINANCE NO. 22-03-16**

*Document Cross Reference No. 2004120612*

**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 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**, Article 8.C.8 of the UDO provides for a "B/PD" Business Planned Development zoning designation for commercial uses previously under the jurisdiction of the Hamilton County Plan Commission; and,

**WHEREAS**, the purpose of said zoning designation is to permit development uses as per the Hamilton County Zoning Ordinance; and,

**WHEREAS**, the owner of the subject real estate described in Exhibit A (the "Real Estate") is desirous of expanding the existing operation; and,

**WHEREAS**, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on docket number 000131 (the "Petition") at its March 21, 2016, meeting as required by law in regard to the application filed by BB Retail, Inc. (the "Developer") for a request of an amended preliminary development plan; 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 ten (10) in favor and zero (0) 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 is hereby amended as follows:

**Section 1.** That the subject real estate located at 15009 Gray Road and described in Exhibit A, all of which is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana, is hereby amended as per the Preliminary Development attached hereto in Exhibit B.

**Section 2.** That the uses permitted for the Real Estate are as follows:

- Single Family Detached Dwelling
- Nursing/Retirement/Convalescent Facility
- Bed & Breakfast Establishment
- Board or Lodging House
- Club or Lodge (private)

- Government Office
- Public Service Facility
- Financial, Insurance, & Real Estate Services
- Office & Clinics of Physicians, Dentists, or other Health Care Practitioners
- Retail Sales

**Section 3.** **Commercial Bulk Standards.** The bulk requirements applicable to the “PB” Planned Business zoning district designated in Article 8 of said UDO, shall apply to non-residential uses of the Real Estate except as follows:

- 3.1 The Minimum Lot Area shall be 30,000 square feet.
- 3.2 The Minimum Lot Frontage shall be 50 feet.
- 3.3 The Minimum Side Yard Setback shall be 20 feet.

**Section 4.** **Residential Bulk Standards.** The bulk requirements for residential uses shall be as follows:

- 4.1 The Minimum Lot Area shall be 6,500 square feet
- 4.2 Minimum Lot Width shall be 53 feet.
- 4.3 Minimum Front Setback shall be 25 feet.
- 4.4 The Minimum Side Setback shall be 5 feet.
- 4.5 The Minimum Rear Setback shall be 20 feet.
- 4.6 The Minimum Floor Area shall be 1,700 square feet.
- 4.7 All other bulk standards shall follow those established in the “R2” Residential zoning designation of the UDO.

**Section 5.** **Landscaping Standards.** The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as noted below.

- 6.1 **Landscape Buffer Yards.** The establishment of a Peripheral Yard, as set forth in Article 8, Part H, Section 3.F.2 of the UDO shall be required except on the north side of the Real Estate where a reduction from Fifty feet (50’) to Forty-three feet (43’) shall apply and on the south side of the Real Estate where a reduction from Fifty feet (50’) to Twenty-three feet (23’) shall apply.

**Section 6.** **Detailed Development Plan.** Approval of a Detailed Development Plan (“DDP”) shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning shall approve Minor Changes; and (ii) if a DDP includes a Major Change from the approved Preliminary Development Plan, then prior to approval fo the DDP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, Part H, Section 3 of the UDO.

**Section 6.** Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 12<sup>th</sup> day of April, 2016.

**COMMON COUNCIL OF THE CITY OF NOBLESVILLE**

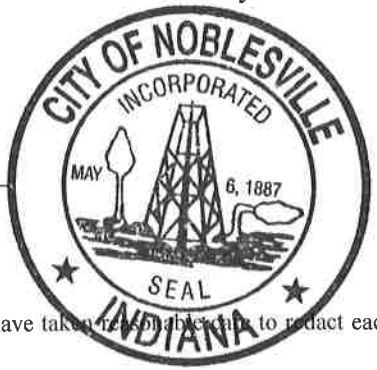
[Signature] Brian Ayer \_\_\_\_\_  
[Signature] Mark Boice \_\_\_\_\_  
[Signature] Wil Hampton \_\_\_\_\_  
[Signature] Christopher Jensen \_\_\_\_\_  
[Signature] Roy Johnson \_\_\_\_\_  
[Signature] Gregory P. O'Connor \_\_\_\_\_  
[Signature] Mary Sue Rowland \_\_\_\_\_  
[Signature] Rick L. Taylor \_\_\_\_\_  
[Signature] Megan G. Wiles \_\_\_\_\_

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana this 12<sup>th</sup> day of April, 2016.

[Signature]  
John Ditslear, Mayor  
City of Noblesville, Indiana

ATTEST:

[Signature]  
Evelyn L. Lees, City Clerk



I affirm, under the penalties for perjury, that I have taken reasonable steps to redact each Social Security Number in this document, unless required by law: Andrew E. Wert.

Prepared by: Andrew E. Wert, City of Noblesville  
16 South 10<sup>th</sup> Street, Suite 150, Noblesville, Indiana 46060 | (317) 776-6325


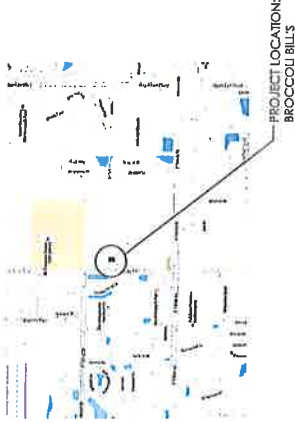
**EXHIBIT A**  
**REAL ESTATE**

*Part of the North Half of the Southwest Quarter of Section 16, Township 18 North, Range 4 East of the Second Principal Meridian in Noblesville Township, Hamilton County, Indiana, described as follows:*

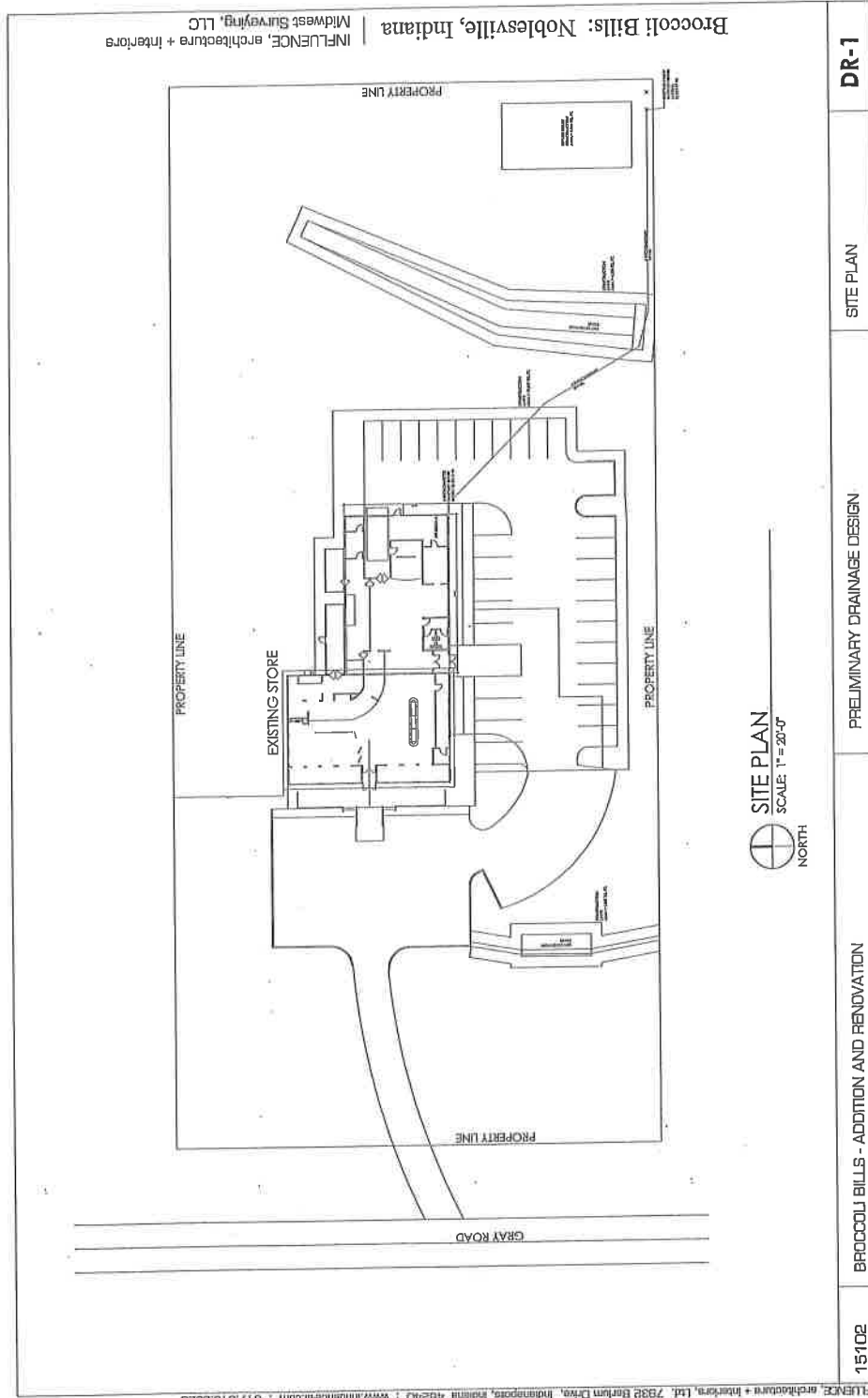
*Beginning at a point on the West line of said Southwest Quarter Section 436 North of the Southwest corner thereof; thence continuing in and along said West Line 224 feet, more or less, to a point on the boundary line of the Thurston property and property currently owned by The Bush Company; thence East and parallel to the South line of said Southwest Quarter Section and in and along said boundary line a distance of 529 feet to a point; thence South and parallel to said West line 224.0 feet to a point; thence West parallel to said South line of said Southwest Quarter 529 feet to a point in said West line and the place of beginning.*

# EXHIBIT B-1

## PRELIMINARY DEVELOPMENT PLAN

<p><b>DRAWING INDEX</b></p> <p>ADD COVER SHEET ARCHITECTURAL SITE PLAN SITE ELEVATION PLAN ADD FLOOR PLAN ADD SITE UTILITIES ADD SITE ELEVATIONS SOILS DRG-2 FINANCIAL MAP DRG-3 LOTS LAYOUT DRG-4 CONCEPT PLAN DETERMINATION OF HISTORICAL LANDMARKS M1 PLANT PLAN M2 POWER PLAN M3 ELECTRICAL SERVICE PLAN M4 PLUMBING PLAN</p>	<div style="text-align: center;">  <p><b>ADDIION AND RENOVATION FOR:</b> <b>BROCCOLI BILL'S</b> FRESH PRODUCE &amp; SPECIALTY GROCERY</p> <p>15009 NORTH GRAY ROAD NOBLESVILLE, IN 46062</p> </div> <div style="text-align: right; padding-top: 20px;">  <p>PROJECT LOCATION: BROCCOLI BILL'S</p> <p>NOBLESVILLE LOCATION PLAN SCALE: 1/4" = 1' (AS SHOWN) NORTH</p> </div>	<p><b>INFLUENCE ARCHITECTURE + INTERIORS</b> 18500 Westfield Blvd, Suite 100 Westfield, Indiana 46084 Tel: 317.741.2979</p> <hr/> <p><b>BROCCOLI BILL'S</b> 15009 NORTH GRAY ROAD NOBLESVILLE, IN 46062 Tel: 317.286-1577</p> <hr/> <p><b>ADDIION AND RENOVATION FOR:</b> <b>BROCCOLI BILL'S</b> FRESH PRODUCE &amp; SPECIALTY GROCERY 15009 NORTH GRAY ROAD NOBLESVILLE, IN 46062</p> <hr/> <p><b>15102</b></p> <hr/> <p><b>COVER SHEET / DRAWING INDEX</b></p> <hr/> <p><b>A000</b></p>
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**EXHIBIT B-2**  
**PRELIMINARY DEVELOPMENT PLAN**



DR-1

SITE PLAN

PRELIMINARY DRAINAGE DESIGN

BROCCOLI BILLS - ADDITION AND RENOVATION

15102

INFLUENCE, architecture + interiors, Ltd. 7932 Earlham Drive, Indianapolis, Indiana 46240 | www.influence-ri.com | 317.519.3680

# EXHIBIT B-3 PRELIMINARY DEVELOPMENT PLAN

**INFLUENCE**  
ARCHITECTURE + INTERIORS  
18 Westport Drive Road  
Indianapolis, IN 46222  
P: 317.242.0770

DATE / REVISION

OWNER

18 Westport Drive Road  
Indianapolis, IN 46222  
P: 317.242.0770

PROJECT

ADDITION AND  
REMODELING FOR:

**BROCCOLI  
BILLS**  
FRESH PRODUCE &  
SPECIALTY GROCERY  
16500 NORTH CRAWFORD ROAD  
NOBLEVILLE, IN 46062

PROJECT NUMBER

15102

DATE / ISSUE

12/15/11 - INITIAL ISSUE

12/15/11 - OWNER REVIEW

12/15/11 - ARCHITECTURAL

12/15/11 - EXTERIOR ELEVATIONS

12/15/11 - INTERIOR ELEVATIONS

12/15/11 - FLOOR PLANS

12/15/11 - SECTION ELEVATIONS

12/15/11 - SITE PLAN

12/15/11 - EXTERIOR ELEVATIONS

12/15/11 - INTERIOR ELEVATIONS

12/15/11 - FLOOR PLANS

12/15/11 - SECTION ELEVATIONS

12/15/11 - SITE PLAN

12/15/11 - EXTERIOR ELEVATIONS

12/15/11 - INTERIOR ELEVATIONS

12/15/11 - FLOOR PLANS

12/15/11 - SECTION ELEVATIONS

12/15/11 - SITE PLAN

12/15/11 - EXTERIOR ELEVATIONS

12/15/11 - INTERIOR ELEVATIONS

12/15/11 - FLOOR PLANS

**A300**

