

200600001758
Filed for Record in
HAMILTON COUNTY, INDIANA
JENNIFER J HAYDEN
01-18-2006 At 11:27 am.
ORDINANCE 39.00

ORDINANCE NO. 99-12-05

Document Cross Reference No. 9809872209

**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 (the "PUD Ordinance") to amend 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 #05J-15-1989 as required by law in regard to the application for a change of zone district designation requested by Pleasant Street Commercial Park, LLC; and,

WHEREAS, the Plan Commission at their December 19, 2005 meeting sent its favorable recommendation to the Noblesville Common Council by a vote of 9 ayes and 0 nays;

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 ("UDO") for said City and the Official Zone Map of said Ordinance are hereby amended as follows:

SECTION 1. The subject real estate (the "Real Estate"), more particularly described in Exhibit A attached hereto, is located within the zoning jurisdiction of the City of Noblesville, Hamilton County, Indiana. The Real Estate, as depicted in Exhibit B, hereby is rezoned to

the I-1/PD District, subject to the Preliminary Development Plan and this Pleasant Street Business Park Planned Development Overlay District (the "District").

SECTION 2. Permitted Uses.

A. Area I. All uses permitted in the PB and I-1 District shall be permitted. Those uses in Area I shall be permitted to have outside storage subject to the screening requirements as set forth herein. The following uses, however, shall not be permitted:

- Child Care Center, Non-Commercial Parks and Playgrounds, Outdoor Community Swimming Pools/Tennis Courts, Private Club or Lodge, Automobile Fuel Station, Cemetery, Adult Cabaret, Adult Media Store, Adult Motion Picture Theater, Sex Shop and Machinery Equipment Repair (unless ancillary to the primary business).

B. Area II. All uses permitted in the I-1 District, including those uses designated as requiring Conditional Use Approval shall be permitted. Those uses in Area II shall be permitted to have outside storage subject to the screening requirements as set forth herein. The following uses, however, shall not be permitted:

- Child Care Center, Non-Commercial Parks and Playgrounds, Outdoor Community Swimming Pools/Tennis Courts, Private Club or Lodge, Automobile Fuel Station, Cemetery, Adult Cabaret, Adult Media Store, Adult Motion Picture Theater, Sex Shop, Restaurant, Outdoor Amusements, Amphitheaters, Places of Worship, Sports Parks, Airports and Fairgrounds.

SECTION 3. Development Standards.

A. Area I.

(1) General Standards.

Minimum Lot Area:	No Minimum
Minimum Lot Width At Setback Line:	No Minimum
Maximum Floor Area Ratio:	No Maximum
Minimum Front Yard Setbacks:	30 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet (15 feet for north perimeter)
Maximum Building Height:	35 feet

(2) Parking and Sign Standards. For uses permitted by the PB district, parking and sign standards applicable to the PB District shall apply, unless otherwise approved by the Director of the Department of Planning and Development or modified by the standards of this PUD Ordinance. For uses permitted by the I-1 district, parking and sign standards applicable to the I-1 District shall apply, unless otherwise approved by the Director of the Department of Planning and Development or modified by the standards of this PUD Ordinance. No ground signs shall be permitted on individual lots within Area I. Two Development Identification Signs (one at each entrance to the Real Estate along the proposed Pleasant Street Extension) shall be permitted and shall be substantially similar to the illustration at Exhibit C.

(3) Dumpsters. Dumpsters shall not be located in the front of any building. Dumpsters that are not located within an enclosed storage area shall be completely screened by materials: (i) that match the architecture of the building which the dumpster is

serving; and (ii) that measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

(4) Service/Material Yard and Storage Areas.

a) Must be completely screened as follows:

- A masonry wall ("Masonry Wall") not less than eight feet (8') in height (architectural block, brick or decorative tilt up concrete, except for entrances) and not more than the eave of the roof and shall as closely as possible match the architecture of the building. The Masonry Wall shall extend perpendicular from the building, and then extend a minimum twenty-five feet (25') down each side yard; and
- At the termination of the Masonry Wall, a minimum eight-foot (8') high vinyl coated chain link fence with slats shall enclose the balance of the yard/storage area. The color of the vinyl coated chain link fences shall be black.
- Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.

b) Must be finished as follows:

- An area fifty feet (50') in depth adjacent to the building must be hard surfaced with asphalt pavement.
- At a minimum, the balance of the yard/storage area must be finished with stone. If stone is used, such storage areas must have dust control measures implemented by the user during operation.

- No curbing shall be required around yard/storage areas.

(5) Display Areas. Are permitted in the front yard areas of buildings subject to the following:

- a) Such display areas are not located within the required front yard setback.
- b) Such display areas must be landscaped as provided in Section 6(B) of this Ordinance.
- c) Such display areas may not exceed 500 square feet nor display more than three (3) products unless otherwise approved by the Director of the Department of Planning and Development.

(6) Overhead Doors: No overhead doors shall be visible from public right-of-way.

(7) Loading Docks: Any loading dock shall be designed to be visually obscured from public right-of-way by buildings, topography, vegetation and/or landscaping.

B. Area II.

(1) General Standards.

Minimum Lot Area:	No Minimum
Minimum Lot Width At Setback Line:	No Minimum
Maximum Floor Area Ratio:	No Maximum
Minimum Front Yard Setbacks:	25 feet
Minimum Parking Lot Setback:	20 feet from the property line abutting any street
Minimum Side Yard:	10 feet
Minimum Rear Yard:	10 feet
Maximum Building Height:	35 feet

(2) Parking and Sign Standards: The parking and sign standards applicable to the I-1 District shall apply, unless otherwise approved by the Director of the Department of Planning and Development or modified by the standards of this PUD Ordinance. No ground signs shall be permitted on individual lots within Area II.

(3) Dumpsters: Dumpsters shall not be located in the front of any building. Dumpsters that are not located within an enclosed storage area shall be completely screened by materials: (i) that match the architecture of the building which the dumpster is serving; and (ii) that measure six feet (6') in height or two feet (2') above the height of the dumpster, whichever is greater.

(4) Service/Material Yard and Storage Areas:

- a) Must be completely screened by a minimum eight-foot (8') high vinyl coated chain link fence with slats.
- b) The color of all vinyl coated chain link fences shall be black.
- c) Must be finished, at a minimum, with stone. If stone is used, such storage areas must have dust control measures implemented by the user during operation.
- d) No curbing shall be required around service/material, storage yard areas.
- e) Materials stored behind any screening wall or fence shall be stacked no higher than one (1) foot below the top of the wall or fence. Equipment and vehicles shall be stored at their lowest state.
- f) Travel lanes providing access to loading docks and to storage areas must be hard surfaced with asphalt pavement.
- g) Employee and visitor parking areas must be hard surfaced with asphalt pavement.

(5) Display Areas: Are permitted in the front yard areas of buildings subject to the following:

- a) Such display areas are not to be located within the required front yard.
- b) Such display areas must be landscaped as provided in Section 6(B) of this Ordinance.

(6) Overhead doors: May be used in the primary façade.

(7) Loading docks: May be placed in secondary façade elevations.

SECTION 4. Architectural Standards.

A. Façade Definitions and Rules.

(1) Primary Façade: The primary architectural façade which contains commercial and retail public entrances and tenant signs. The façade facing a dedicated street.

(2) Secondary Façade: Any building elevation not having commercial and retail public entrances and does not contain tenant signs. Secondary facades include building elevations with service and employee entrances, utility service areas and delivery areas. Secondary facades do not face dedicated or private streets.

(3) All building elevations shall either be considered a primary or secondary façade.

B. Façade Materials Within Pleasant View Shoppes (Area I).

(1) Primary Façade Materials.

a) Appropriate building finish materials for the primary façade include: Brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured) and EIFS (Dryvit) wall systems if at least eight feet (8') above grade ("Masonry Materials").

b) Inappropriate, prohibited building finish materials for the primary façade include: wood, plywood, unfinished concrete or unfinished concrete panels, plastics, reflective glass.

c) Primary facades may have window glazing or glass storefronts. Tall storefront windows to reflect a commercial main street appearance are encouraged.

- d) The use of accent and trim elements (accent panels, banding, cornices, Canopies/awnings etc.) for building trim is recommended to add visual interest and break down the scale of façades.
- e) Permitted building trim materials include: brick (clay), stone, simulated cut stone, tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and EIFS (Dryvit).
- f) Colors used on primary building facades must be complementary. Natural, muted colors should serve as the primary façade color, with brighter colors used as limited accents.
- g) Entries shall be clearly defined with architectural articulation including the following: porticos, overhangs, fabric awnings, cantilevered architectural metal canopies, covered arcades, and projecting architectural bays.
- h) Decorative architectural lighting is required at a minimum of one fixture every forty feet (40') on primary facades.
- i) No overhead doors are permitted in the primary façade of a building.

(2) Secondary Façade Materials.

- a) In addition to those materials permitted for the Primary Façade, the secondary façade may use steel or aluminum curtain wall systems.
- b) Secondary Facades facing side yards shall include at least two windows that match the size and scale of the windows on the Primary Façade.
- c) If a Secondary Facade facing a side yard includes a Masonry Wall, then the Secondary Facade shall include Masonry Materials at least eight feet (8') above

grade and extending from the Primary Façade to the point the Masonry Wall meets the Secondary Façade.

- d) If a Secondary Façade facing a side yard does not include a Masonry Wall, then the Secondary Façade shall include Masonry Materials at least eight feet (8') above grade and extending to 25' from the Primary Facade.
- e) Inappropriate, prohibited building finish materials on the secondary facades include: wood, plywood, unfinished concrete or concrete panels, plastics, reflective glass.
- f) Colors used on building facades must be complementary. Natural, muted colors should serve as the secondary façade color, with brighter colors used as limited accents.
- g) Lighting on secondary facades including wall pack lighting shall be full cut-off fixtures.
- h) Overhead doors are permitted to appear in secondary façade elevations.

C. Façade Materials Within Pleasant View Industrial Park (Area II).

(1) Primary Façade Materials.

- a) Appropriate building finish materials include: brick (clay), natural stone, simulated cut stone, finished (textured and painted) concrete, finished (textured) pre-cast concrete panels, tile (ceramic or porcelain), architectural block (textured), EIFS (Dryvit) wall systems (if used for a maximum of 50% of the façade and only if it is used at least eight feet (8') above grade), steel or aluminum curtain wall systems (if used for a maximum of fifty percent (50%) of the façade).

- b) Inappropriate, prohibited building finish materials on the primary façades include:
wood, plywood, unfinished concrete or unfinished concrete panels, plastics,
reflective glass.
- c) Primary facades may have window glazing or glass storefronts.
- d) Permitted building trim materials include: brick (clay), stone, simulated cut stone,
tile (ceramic or porcelain), wood, glass, painted aluminum, formed polymers and
EIFS (Dryvit).
- e) Colors used on building facades must be complementary. Natural, muted colors
should serve as the primary façade color, with brighter colors used as limited
accents.
- f) Decorative architectural lighting is required at a minimum of one fixture every 40
feet on primary facades.
- g) Overhead Doors are permitted in the primary façade elevations.

(2) Secondary Facades Materials.

- a) In addition to those materials permitted for the Primary Façade in Area II, the
secondary façade may use steel or aluminum curtain wall systems.
- b) Inappropriate, prohibited building finish materials on the Secondary Facades
include: wood, plywood, unfinished concrete or unfinished concrete panels,
plastics, reflective glass.
- c) Lighting on secondary facades including wall pack lighting shall be full cut-off
fixtures.
- d) Overhead doors are permitted in secondary façade elevations.

SECTION 5. Roof Design.

- A. The roofs within each of the Areas I & II may be either residential in character or low slope. Roofing material shall be a minimum of commercial grade dimensional asphalt shingle, cedar shake, slate, metal roofing or rubber roofing.
- B. All roofs must incorporate appropriately sloped roofs, tall parapets or screen walls to architecturally conceal roof-mounted equipment.
- C. Rooftop equipment screens and rooftop penetrations (vents) shall be of a color compatible with the overall building or roof color (not an accent color).
- D. Where pitched roofs are used, the main pitch of the roof shall be not less the 6:1.

SECTION 6. Landscaping Requirements.

A. Landscaping Within Public Right-of-Way.

- (1) Street trees shall be located between the curb and the public sidewalk, and need not be in a straight line if the sidewalk meanders. The street trees shall be Red Sunset Maple Trees at least 2½" in caliper and shall be installed at the rate of one tree for every forty linear feet (40') of right-of-way and are required to be installed in a mulch bed of a maximum eight feet (8') in diameter.

B. Lot Landscaping Requirements.

- (1) Ornamental trees shall be planted at the rate of one (1) tree for every thirty feet (30') of the primary building façade and shrubs shall be planted at the rate of one (1) shrub for every five feet (5') of primary building facade.
- (2) The ornamental tree and shrub requirements of this Section 6(B) are in addition to those landscaping requirements set forth above.

- (3) Where outside display areas are used and such display areas front on a public or private street, ornamental trees shall be planted at the rate of one (1) tree per thirty lineal feet (30') of frontage of the display area along the road frontage which the display area faces. This landscaping requirement is in addition to those requirements set forth above.
- (4) The planting materials as determined by this Section may be clustered and placed within the side yards of the building in defined beds of mulch.
- (5) Mulch used in planting beds shall be a dark, natural color and may extend no further than one foot beyond plants to form the edge of the planting beds.
- (6) Underground irrigation systems shall be installed and properly operated and maintained to water plant material and yards in all front yard areas.
- (7) Two staggered rows of evergreen trees, at least 6' in height at planting and planted 40' apart within each row, shall be installed within 15' of the northern property line of Area I. A one-for-one credit shall be given for each existing tree that exceeds 2½" in caliper that is maintained within the 15' planting area on the Real Estate.
- (8) One row of evergreen trees, at least 6' in height at planting and planted 30' apart, shall be installed along the west property line of Block A on the north side of Pleasant Street. A one-for-one credit shall be given for each existing tree that exceeds 2½" in caliper that is maintained along the western property line of Block A on the Real Estate.

C. Parking Lot Landscaping Requirements. Parking lot landscaping requirements shall be per Article 12 of the Unified Development Ordinance for the City of Noblesville, Indiana.

SECTION 7. Lighting Standards.

- A. Light standards to be used should be dark bronze in color with metal halide lights. Light standards should not exceed twenty-five feet (25') in height.
- B. Illumination standards shall be subject to the standards of the Unified Development Ordinance for the City of Noblesville, Indiana.
- C. Lighting shall serve only to illuminate signage, parking/loading areas, storage areas, walkways and entrances, or to accent landscaping and architectural details.

SECTION 8. Architectural Review. If the architectural standards of this ordinance are met, the review of the site plan, landscaping plan and architecture shall be completed by the Department of Planning and Development Staff. Appeals of Staff's interpretations shall go to the Architectural Review Board, which shall render a decision pursuant to the procedures established in Article 3 of the Unified Development Ordinance for the City of Noblesville, Indiana.

SECTION 9. Preliminary Development Plan. The preliminary development plan attached hereto as Exhibit B is approved. The preliminary development plan is intended to establish conceptual goals for the development.

SECTION 10. Detailed Development Plan. The detailed development plan may be approved in phases. In order to maintain design flexibility, the exact configuration and locations of each building within the development may vary from the preliminary development plan as long as the development and architectural standards are met. Approval of a detailed development plan is subject to the provisions of Article 8, Part E, Section 4, of the UDO. The provisions of Article 5, Part B of the UDO shall not apply to any detailed development plan.

SECTION 11. References Incorporated. The references contained herein to provisions of the UDO refer to the provisions in effect on the date this ordinance is adopted.

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the
Common Council this 10th day of January, 2006.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

<u>Alan P. Hinds</u>	Alan Hinds
<u>Laurie Jackson</u>	Laurie Jackson
<u>Kathie Stretch</u>	Kathie Stretch
<u>Dale Snelling</u>	Dale Snelling
<u>Terry Busby</u>	Terry Busby
<u>Mary Sue Rowland</u>	Mary Sue Rowland
<u>Brian Ayer</u>	Brian Ayer

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana,
this 10th day of January, 2006.

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, (317) 776-8668

EXHIBITS ARE ON FILE AND MAY BE VIEWED IN THE CITY OF NOBLESVILLE
CLERK-TREASURER'S OFFICE.

"PLEASANT STREET BUSINESS PARK"

LEGAL DESCRIPTION
Exhibit A

A part of the Northeast Quarter of Section 5, Township 18 North, Range 5 East as follows:

Beginning at the center of said Section 5 running thence East 1322.8 feet to the one-eighth Section Stone, thence North on the one-eighth section line 1515.6 feet to the South line of the right of way of the Central Indiana Railroad, thence South 76 degrees West along said South line of right of way 50 feet, thence in a one degree curve to the right 1300 feet to the West line of said Northeast Quarter, thence South 1311 feet to the place of beginning, containing forth-two and twenty-five hundredths (42.25) acres, more or less; containing in all one hundred thirty and twenty-two hundredths (130.22) acres, more or less, subject to legal highways and rights of way, all in Noblesville Township, Hamilton County, Indiana.

EXCEPT:

A part of the Northeast Quarter (1/4) of Section Five (5), Township Eighteen (18) North, Range Five (5) East, Noblesville Township, Hamilton County, Indiana, as covered by land description contained in deed recorded as Instrument No. 9872209, and being that part of the grantor's land lying within the right of way lines depicted on the attached right of way plat, marked Exhibit "B", more fully described as follows:

Commencing at the Northwest corner of said Quarter Section; thence South 00 degrees 00 minutes 24 seconds East (assumed bearing) along the West line of said Quarter Section, a distance of 1,222.68 feet to the PLACE OF BEGINNING: Thence North 89 degrees 39 minutes 11 seconds East a distance of 80.73 feet; thence South 0 degrees 20 minutes 49 seconds East a distance of 110.00 feet; thence South 89 degrees 39 minutes 11 seconds West a distance of 81.39 feet to the aforesaid West line of said Quarter Section; thence North 0 degrees 00 minutes 24 seconds West, along said West line of said Quarter Section, a distance of 110.00 feet to the PLACE OF BEGINNING.

Containing 0.205 acres (8,916.69 square feet), more or less, being subject to any rights-of-way, easements or restrictions of record or observable.

Declaration

This form is to be signed by the preparer of a document and recorded with each document in accordance with IC 36-2-7.5-5(a).

I, the undersigned preparer of the attached document, in accordance with IC 36-2-7.5, do hereby affirm under the penalties of perjury:

1. I have reviewed the attached document for the purpose of identifying and, to the extent permitted by law, redacting all Social Security numbers;
2. I have redacted, to the extent permitted by law, each Social Security number in the attached document.

I, the undersigned, affirm under the penalties of perjury, that the foregoing declarations are true.

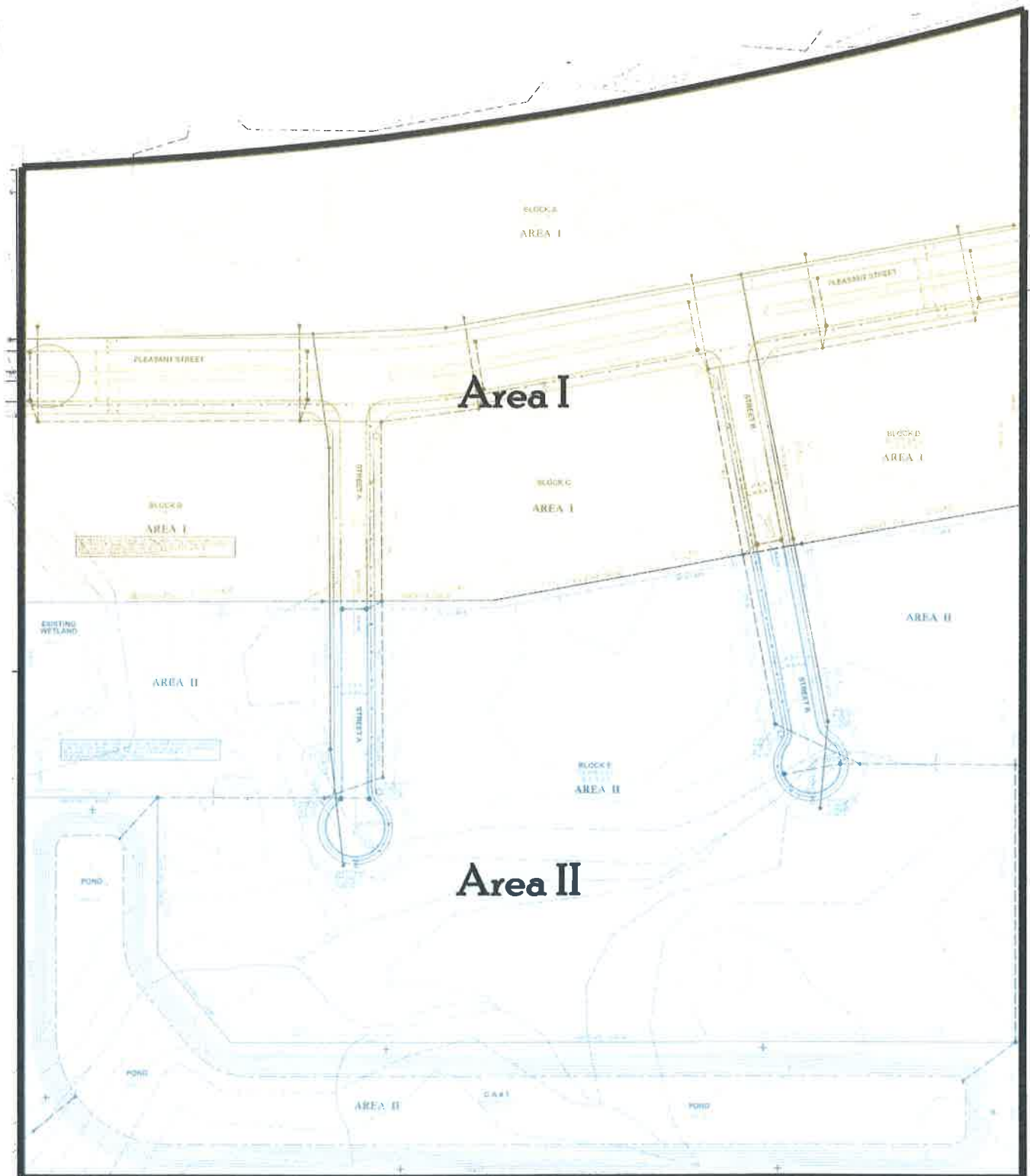


Signature of Declarant

Steven D. Hardin

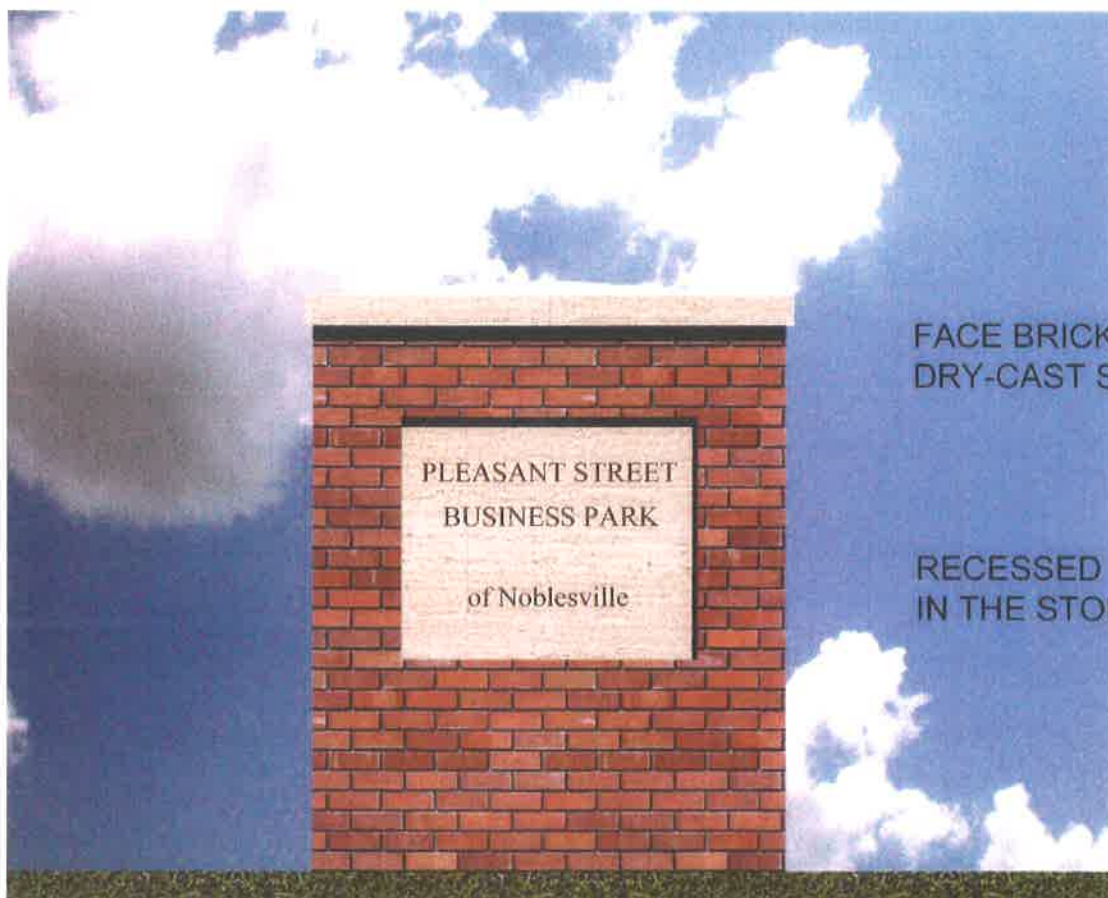
Printed Name of Declarant

Pleasant Street Business Park



"PLEASANT STREET BUSINESS PARK"

**DEVELOPMENT
IDENTIFICATION SIGN**
Exhibit C



FACE BRICK AND
DRY-CAST STONE

RECESSED LETTERING
IN THE STONE

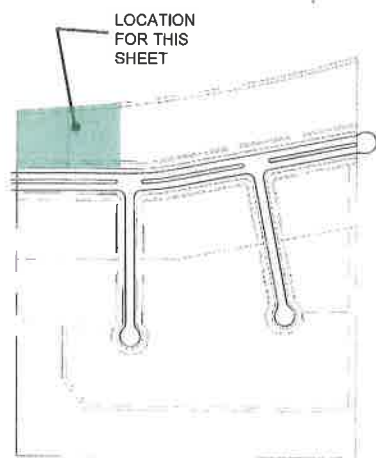
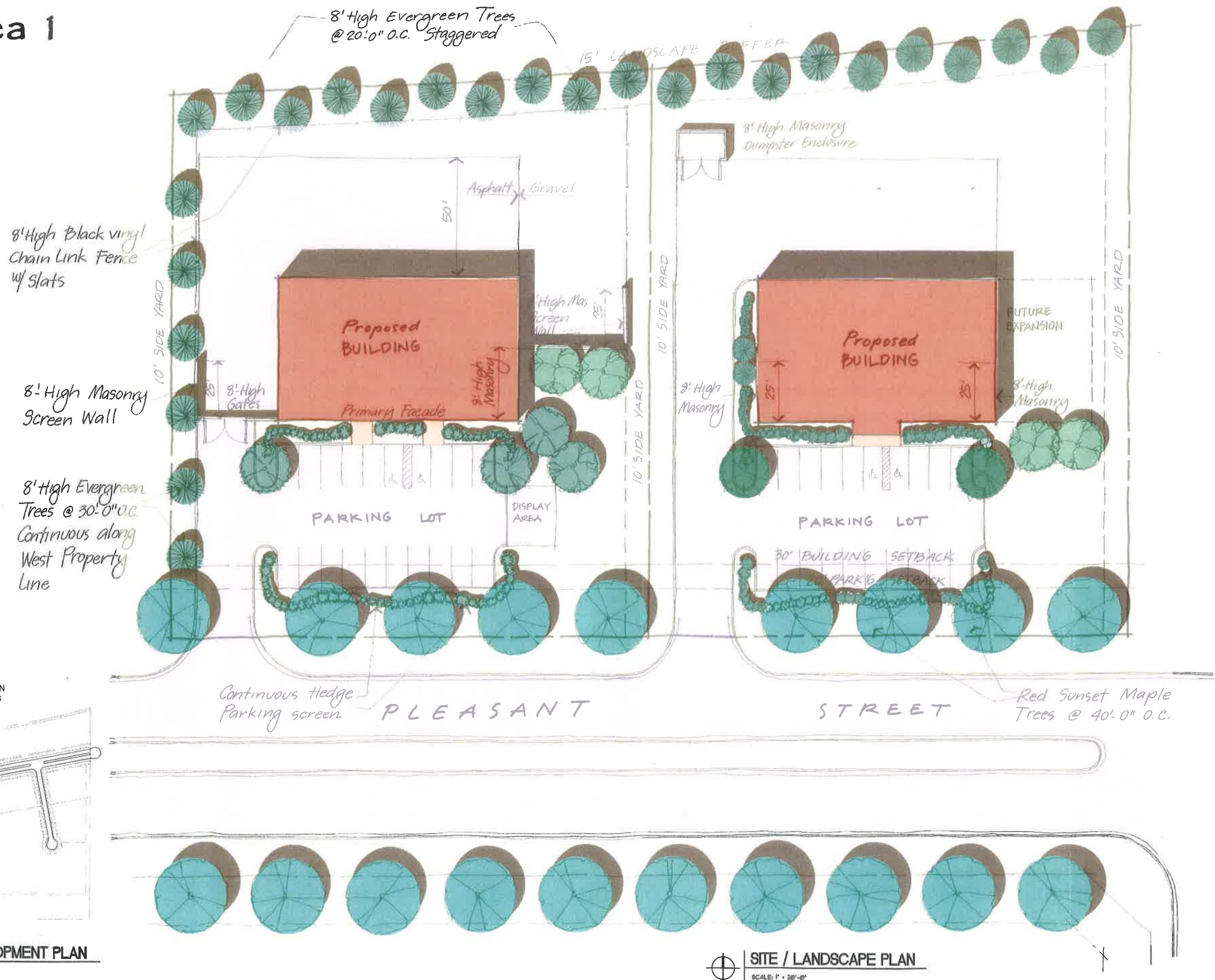
5'-4" WIDE X 3'-4" DEEP
X 6'-0" HIGH MONUMENT



Peterson Architecture

802 Mulberry Street, Suite G
Noblesville, IN 46060
p 317.770.9714
f 317.770.9718
studio@petersonarchitecture.com

Area 1



DEVELOPMENT PLAN
SCALE: 1/4" = 10'-0"

SITE / LANDSCAPE PLAN
SCALE: 1" = 20'-0"



Peterson Architecture
302 Moberly Street, Suite 2
Indianapolis, IN 46204
317.779.3714
317.779.9715
studio@petersonarchitecture.com

PLEASANT STREET BUSINESS PARK

NOBLESVILLE, INDIANA

PLEASANT STREET COMMERCIAL PARK, LLC

CONCEPTUAL DESIGN

November 29, 2023

REVISIONS

REVISION	DATE
1	
2	
3	
4	
5	

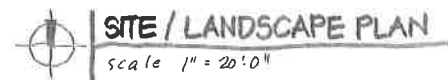
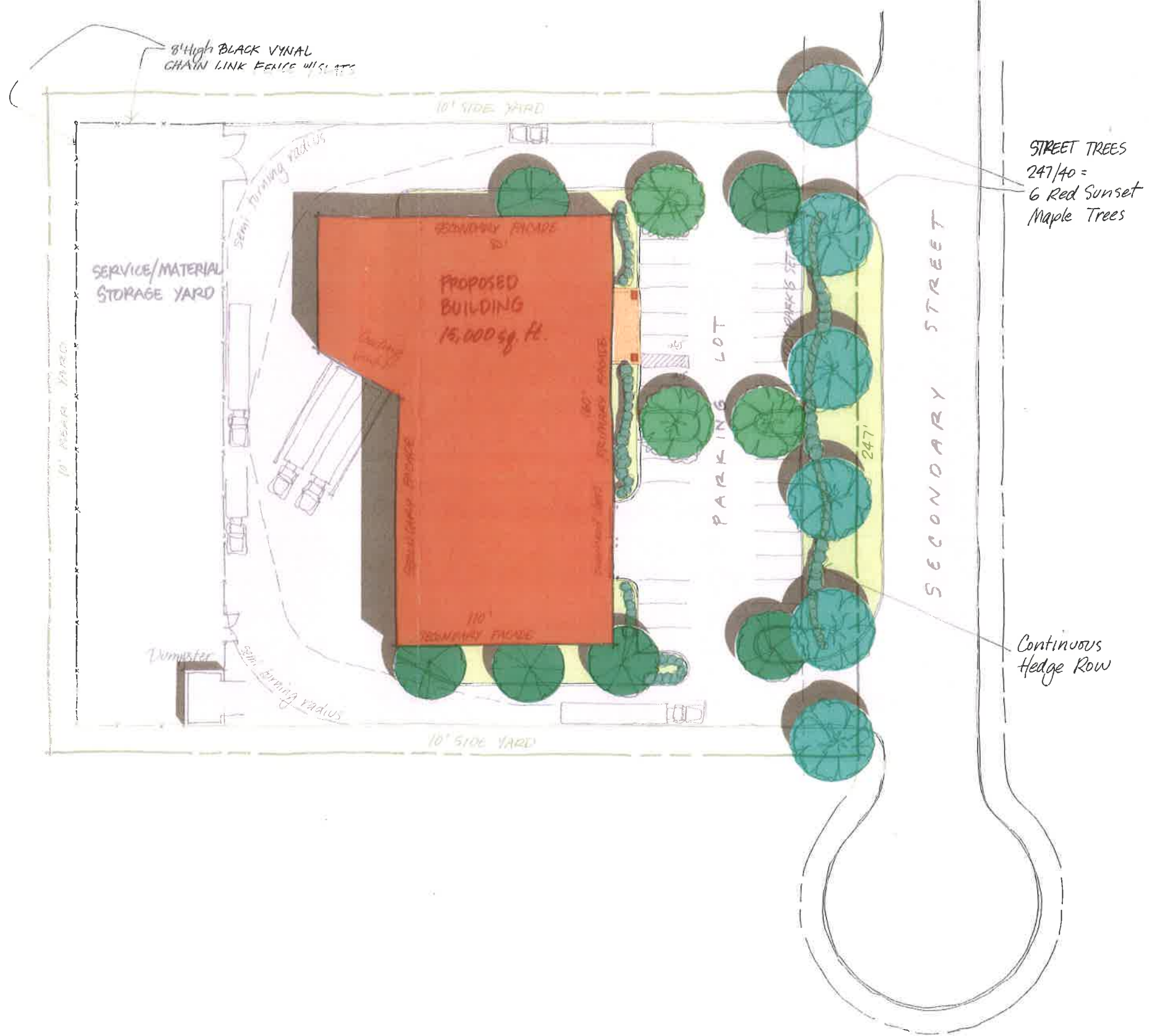
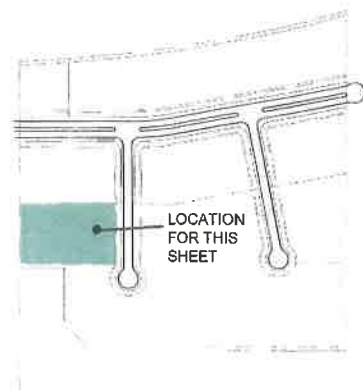
DRAWER NO. _____
DRAWN BY: _____
CHECKED BY: _____
PROJECT NUMBER _____

AREA 1 SITE PLAN

A100

THESE DRAWINGS ARE A PART OF A CONCEPTUAL DESIGN AND SHALL BE USED ONLY IN PLANS AND SPECIFICATIONS. NO OTHER USE OR REPRODUCTION SHALL BE MADE WITHOUT THE WRITTEN CONSENT OF PETERSON ARCHITECTURE, P.C. ALL OTHER RIGHTS, AND COMMON LAW RIGHTS ARE HEREBY RESERVED.

Area 2



Peterson Architecture

[illegible]

PLEASANT STREET
BUSINESS PARK

NOBLESVILLE, INDIANA

PLEASANT STREET COMMERCIAL PARK, LLC

CONCEPTUAL DESIGN

November 21, 2005

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

DRAWER NO. 18

DRAWN BY:

CHECKED BY: _____

PROJECT NUMBER: 05-0209

AREA II SITE PLAN

A101

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