

ORDINANCE NO. No. 49-5-06

Document Cross Reference Nos. 200300008624

**AN ORDINANCE TO AMEND ORDINANCE NUMBER  
59-12-02 ESTABLISHING THE NOBLE WEST PLANNED DEVELOPMENT  
OVERLAY DISTRICT, TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE, A  
PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,  
HAMILTON COUNTY, INDIANA AND TO APPROVE AMENDED PRELIMINARY  
DEVELOPMENT PLAN**

This is an ordinance to amend (i) Ordinance Number 59-12-02, as heretofore amended, establishing the Noble West Planned Development Overlay District and (ii) 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 (the "UDO"), and to approve an amended preliminary development plan.

WHEREAS, on January 13, 2003, the Noblesville Common Council adopted Ordinance Number 59-12-02 (as the same has been heretofore amended, the "Noble West Ordinance") establishing the Noble West Planned Development District (the "District") with respect to the real estate described therein (the "Property"), and approved a preliminary development plan for the Single Family Area of the District, including the portion of the District identified as Parcel 3 on Exhibit E of the Noble West Ordinance;

WHEREAS, the Plan Commission of the City of Noblesville has conducted a public hearing on (i) Application #06N-14-0591 as required by law in regard to the application for a change of zone district designation for the real estate described on Exhibit A attached hereto and incorporated herein (the "Additional Real Estate") and (ii) Application # 06N-15-0590 for approval of an amended preliminary development plan for said Parcel 3 and the Additional Real Estate filed by Brenwick Development Company, Inc.;

21.00  
21.00  
62.00  
NONC

WHEREAS, the Plan Commission at its May 15, 2006 meeting sent its favorable recommendations with respect to both Applications to the Noblesville Common Council by votes of 11-0 and 11-0; and,

WHEREAS, the Noblesville Common Council, meeting in regular session on MAY 23, 2006 and JUNE 13, 2006, has considered the recommendations of the Plan Commission

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Noble West Ordinance, the UDO and the Official Zone Map of the UDO are hereby amended as follows:

SECTION 1. The Noble West Ordinance is hereby amended to make the Additional Real Estate part the Property and the Official Zoning Map is hereby amended to include the Additional Real Estate as part of R1/PD/FH Single Family Area of the District. The Additional Property shall be subject in all respects to the Noble West Ordinance.

SECTION 2. Notwithstanding anything in the Noble West Ordinance to the contrary, the Additional Real Estate may not be used for any purpose other than construction, operation and maintenance of a public roadway (including a bridge) connecting Cherry Tree Road to Midland Lane and for open space surrounding such roadway. Such roadway shall be built according to the applicable standards for an "avenue" contained in the Noble West Ordinance.

SECTION 3. The amended preliminary development plan for Parcel 3 and the Additional Property attached hereto as Exhibit B is approved.

## EXHIBIT A

### ADDITIONAL REAL ESTATE

A part of the Northeast Quarter of Section 15, Township 18 North, Range 4 East in Hamilton County, Indiana, being described as follows:

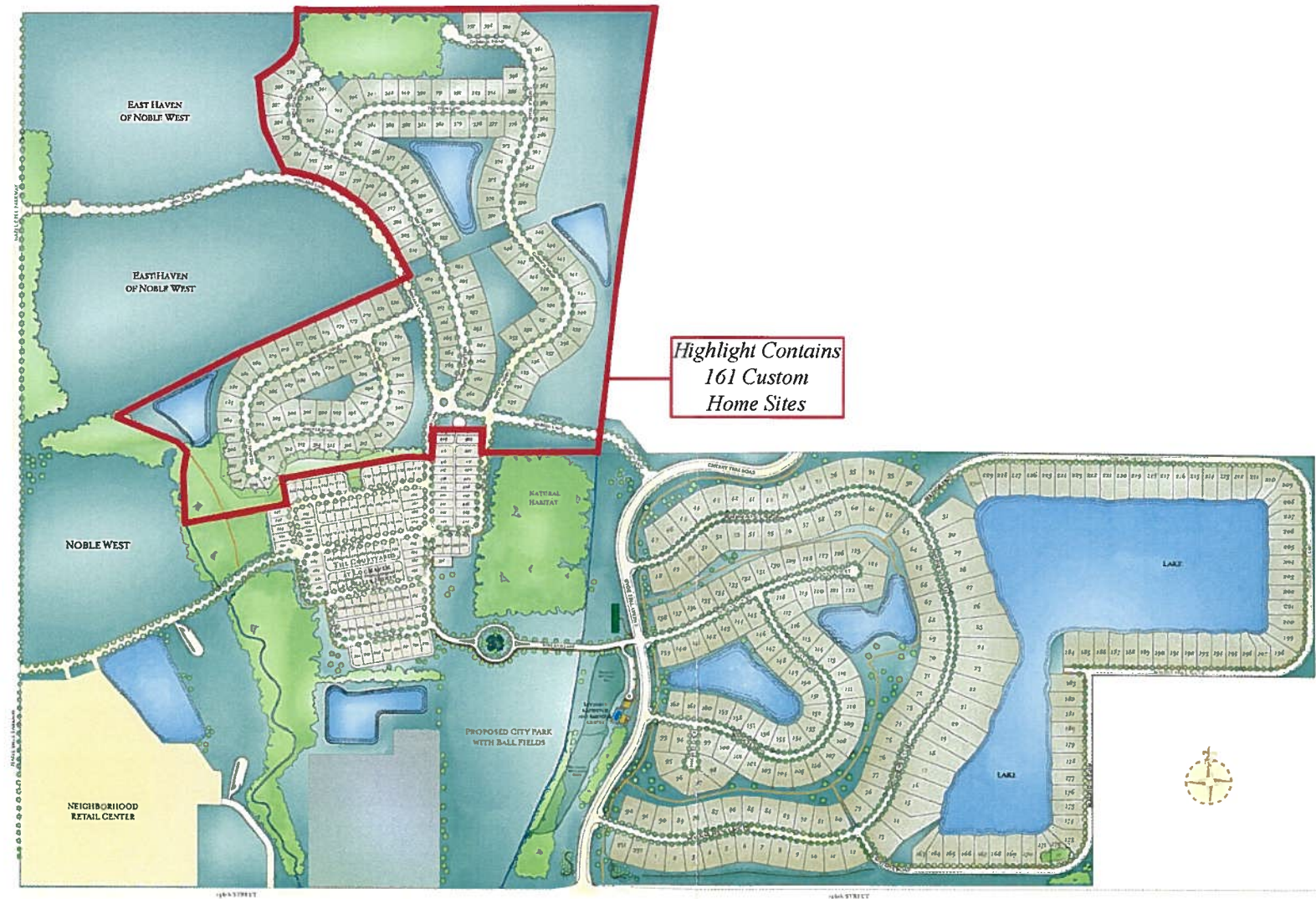
Commencing at the Southwest Corner of said Northeast Quarter marked by a stone found flush with the ground; thence North 89 degrees 45 minutes 33 seconds East along the south line of said Northeast Quarter a distance of 928.82 feet to the Point of Beginning; thence North 06 degrees 41 minutes 34 seconds East a distance of 216.30 feet; thence South 83 degrees 18 minutes 26 seconds East a distance of 120.61 feet; thence South 38 degrees 42 minutes 53 seconds East a distance of 255.67 feet to the south line of said Northeast Quarter; thence South 89 degrees 45 minutes 33 seconds West along said south line a distance of 304.91 feet to the Point of Beginning, containing 1.000 acre, more or less.

## Original Plan



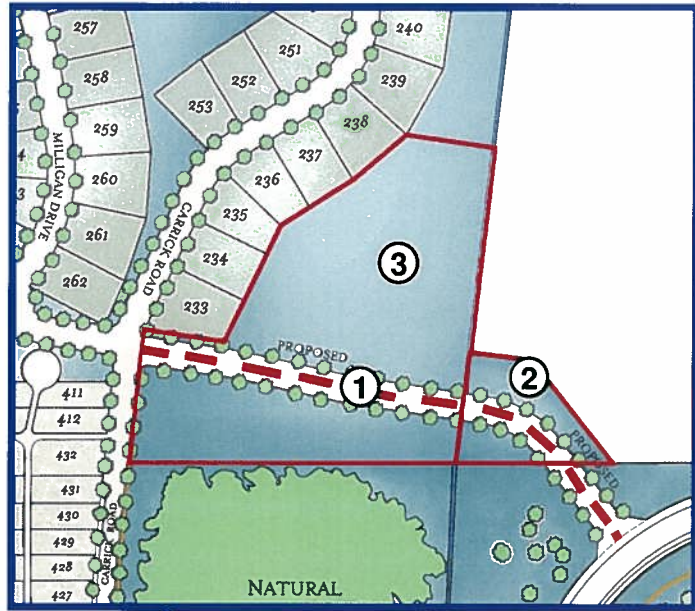
Highlight Contains  
248 Production  
Housing Units

## Alternate Plan



Highlight Contains  
161 Custom  
Home Sites

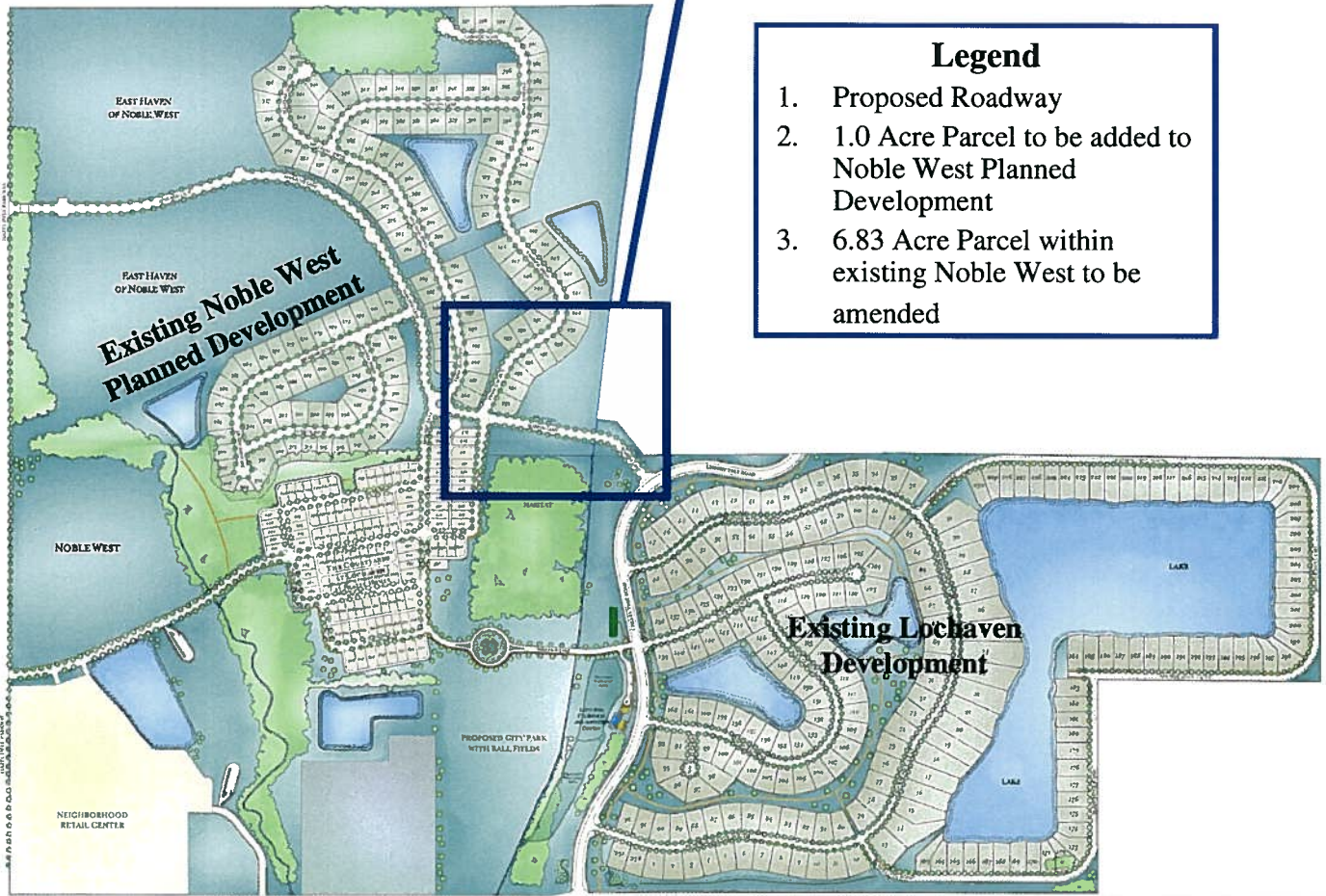
## Comparative Site Map



Area of Amendment

**Legend**

1. Proposed Roadway
2. 1.0 Acre Parcel to be added to Noble West Planned Development
3. 6.83 Acre Parcel within existing Noble West to be amended



# *Annotated Site Map*

# BRENWICK

May 17, 2006

Dear City Council Members:

I am forwarding to you each this packet of information submitted in connection with our proposed amendment to the Noble West Planned Development, anticipated to be on your May 23<sup>rd</sup> City Council agenda.

Brenwick proposes to add one (1) acre to the Noble West Planned Development and subject it and a current portion of the Noble West Planned Development consisting of 6.83 acres to an Amended Preliminary Development Plan for use as a site for a public roadway, including bridge, connecting Midland Lane, in Noble West, to Cherry Tree Road in Lochaven. Tab 1 of this booklet contains the Petition and Ordinance to add the one acre parcel to the Noble West Planned Development along with the Petition and Ordinance to amend the Noble West Planned Development Ordinance and amend the Preliminary Development Plan. This amendment is solely to permit the construction of a roadway from Cherry Tree Road to the previously approved Noble West development without creating any additional lots. Tab 1 also contains an annotated site map to assist with the explanation of the petitions.

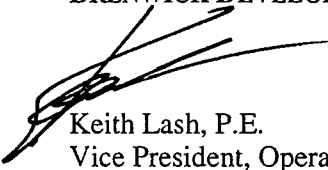
The driving force for this request is the desire to transform 248 lots within the Noble West development, initially designed for production housing, into 161 lots that will be sold as custom home sites. Enclosed in this booklet is a comparative site map identifying the portion of the Noble West development being converted from production housing to custom housing. Upon review of this site map, you will notice that the public roadway, which is the subject of the requested amendment, provides a vehicular connection from Lochaven to the 161 lots making this area an extension of our Lochaven community. Below is a comparison of the 248 lot plan versus the 161 lot plan.

	Original Plan (Production Homes)	Alternate Plan (Custom Homes)
Site Acreage	128.9	128.9
Number of Lots	248	161
Density	1.92	1.25
Open Space Acreage	43.9	57.1
Average Lot Price	\$55,000	\$115,000
Est. Avg. Home Sale Price	\$275,000	\$650,000

If there is any additional information we can provide to you, please do not hesitate to contact me at your convenience.

Sincerely,

**BRENWICK DEVELOPMENT COMPANY, INC.**

  
Keith Lash, P.E.  
Vice President, Operations