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ORDINANCE NO. 48-08-16

AN ORDINANCE TO AMEND THE CONNER CROSSING PLANNED UNIT DEVELOPMENT ORDINANCE NUMBER 12-4-02 AND THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross Reference Nos. _____

This Ordinance (the "Albany Ridge at Conner Crossing PD Ordinance") amends the Conner Crossing Planned Unit Development Ordinance Number 12-4-02 (the "Conner Crossing PUD") and the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana, (the "UDO") enacted by the City of Noblesville, Indiana (the "City") 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 (the "Plan Commission") conducted a public hearing on docket number 0721-2016 at its August 16, 2016 meeting as required by law in regard to the application (the "Petition") filed by Cal-Atlantic Homes of Indiana, Inc. (the "Developer") concerning an amendment to the Conner Crossing PUD as it pertains to certain property described in Exhibit A attached hereto (the "Real Estate") and the adoption of an amended preliminary development plan to be known, collectively with attached Exhibits, as the "Albany Ridge at Conner Crossing Preliminary Development Plan", as further described in Section 4 below (the "Preliminary Development Plan"); and,

WHEREAS, the Plan Commission has sent an unfavorable recommendation for adoption of said amendment with a vote of six (6) in favor, three (3) opposed and one (1) abstain to the Common Council;

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Conner Crossing PUD and UDO, are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

- A. The underlying zoning district for the Real Estate shall be R-1 Residential (the "Underlying District"). Development in the Real Estate shall be governed entirely by (i) the provisions of this PD Ordinance and its exhibits, (ii) the provisions of the Conner Crossing PUD and (iii) those provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Conner Crossing PUD, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance (collectively, the "Governing Standards").

- B. All provisions and representations of the UDO and Conner Crossing PUD that conflict with the provisions of this Albany Ridge at Conner Crossing PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Albany Ridge at Conner Crossing PD Ordinance.

Section 2. **Definitions.** The general rules of construction set forth in Article 2 of the UDO and the definitions set forth in this Ordinance shall apply to the regulations of this Ordinance. Words not defined herein but defined in the UDO shall be interpreted in accordance with the UDO definition.

Section 3. **Permitted Uses.** All uses permitted in the Underlying District shall be permitted within the District; however, the maximum number of Dwelling Units shall not exceed ninety-three (93) on the Real Estate.

Section 4. **Preliminary Development Plan.**

- A. Full sized, scaled development plans are on file with the City’s Planning and Development Department dated August 2, 2016. What is attached hereto as Exhibit B is a general representation of the full sized plans and Exhibit B, together with the full sized plans, shall be collectively referred to as the “Preliminary Development Plan”.
- B. The Preliminary Development Plan is hereby incorporated herein and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.

Section 5. **Bulk Standards.** The following bulk requirements of this Albany Ridge at Conner Crossing PD Ordinance shall replace and supersede the development standards for detached dwellings set forth in Exhibit “C” of the Conner Crossing PUD as noted below:

- A. Minimum Lot Width measured at the front building setback line:
 - i. One-Hundred (100) feet for all lots south of the Sly Run Drain
 - ii. Seventy (70) feet all lots north of the Sly Run Drain
- B. Minimum Lot Frontage on the Right-of-way: Twenty-five (25) feet
- C. Minimum Lot Area per Dwelling Unit:
 - i. Twelve-thousand five hundred (12,500) square feet for all lots south of the Sly Run Drain
 - ii. Nine-thousand (9,000) square feet for all lots north of the Sly Run Drain
- D. Minimum Front Yard Setback: Twenty-five (25) feet
- E. Minimum Side Yard Setback (measured from foundation): Seven (7) feet
- F. Minimum Aggregate Side Yard Setback (measured from foundation): Fourteen (14) feet
- G. Minimum Rear Yard Setback: Twenty (20) feet
- H. Maximum Dwelling Height: Thirty-five (35) feet
- I. Minimum Floor Area (per dwelling unit): Single-story – 2,000 square feet
Two-story – 2,600 square feet with minimum main floor of 1,300 square feet

- J. Maximum Lot Coverage: forty (40) percent

Section 6. **Architectural Standards.** The Architectural Guidelines of Exhibit “D” of the Conner Crossing PUD shall be replaced and superseded with the following standards which shall apply to the Real Estate:

- A. The approved elevations shall be the set of home elevations on file with the City’s Planning and Development Department as submitted on May 2, 2016, as reviewed and approved by the City’s Architectural Review Board at its June 16, 2016 meeting (the “Approved Elevations”).
- B. The Approved Elevations are hereby incorporated and approved. All homes shall be substantially consistent with the Approved Elevations. The Director of Planning and Development, including his or her designees, shall review and approve home elevations at the time of filing of the Detailed Development Plan and/or Building Permit for compliance and consistency with the Approved Elevations.
- C. The elevations of any home that substantially varies from an Approved Elevation shall be submitted for review and approval by the Director of Planning and Development if in Compliance with the Architectural Standards hereby incorporated under Exhibit C or require approval by the Architectural Review Board if not found in compliance with the standards included in Exhibit C. The Architectural Review Board’s review of said home elevation(s) shall be performed in order to determine its compatibility and consistency with the intended quality and character of the District and the Approved Elevations.

Section 7. **Landscaping and Open Space Standards.** The standards of Article 12, Landscaping and Screening, of the UDO shall apply, except as noted below:

- A. Lot Landscaping. Individual Lots shall be landscaped in accordance with the Architectural Standards of Section 6 of this Albany Ridge at Conner Crossing PD.
- B. Landscape Buffer Yards. Landscape Buffer Yards shall be provided as shown on the Preliminary Development Plan. The Establishment of a Peripheral Yard, as set forth in Article 8, Part H, Section 3.F.2 of the UDO, shall apply as shown on the Preliminary Development Plan.
- C. Open Space. Open Space shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.

Section 8. **Parking and Loading Standards.** The standards of Article 10, Off-Street Parking and Loading, of the UDO shall apply except as noted below:

- A. The minimum distance between the street centerline and the driveway for lots which front more than one public street shall be fifty (50) feet and the driveways are not required to be placed 10’ from the lot line furthest from the intersection.

Section 9. **Lighting Standards.** The standards of Article 13, Environmental Performance Standards, of the UDO, shall apply.

Section 10. **Sign Standards.** The District's signs shall comply with Article 11 of the UDO except as noted below:

- A. The subdivision sign for the District shall be provided substantially in the size, configuration and locations depicted on the Preliminary Development Plan.

Section 11. **Site Design, Improvement and Infrastructure Standards.** Unless otherwise stated within the Conner Crossing PUD Ordinance, all public infrastructure within the District shall adhere to the City's standards and design criteria.

- A. Corner Lots: Corner lots shall be permitted at a minimum of thirty (30) percent larger than the minimum lot area.

Section 12. **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 and Zoning shall approve Minor Changes; and (ii) if a DDP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DDP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, Part E, Section 4, of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DDP.

Section 13. **Effective Date.** This Albany Ridge at Conner Crossing PD Ordinance shall be in full force and effect from and upon the earlier of its adoption and publication in accordance with the law or the effective date of the annexation of all of the Real Estate into the corporate limits of the City.






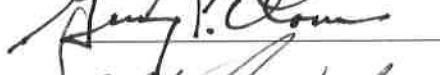

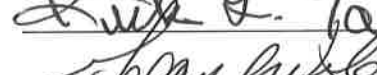

[The remainder of this page intentionally left blank; signature page follows.]

Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 25th day of October, 2016.

COMMON COUNCIL OF THE CITY OF NOBLESVILLE

AYE

NAY

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

Approved and signed by the Mayor of the City of Noblesville, Hamilton County, Indiana, this 25th day of October, 2016.



John P. Slear, Mayor
City of Noblesville, IN

ATTEST:


Evelyn L. Lees, City Clerk

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: Jon C. Dobosiewicz.

Prepared by: James E. Shinaver, attorney at law, NELSON & FRANKENBERGER and Jon C. Dobosiewicz, land use professional, NELSON & FRANKENBERGER. 550 Congressional Blvd, Suite 210, Carmel, IN 46032 (317) 844-0106.
Albany Ridge-Conner Crossing - PD Amendment Ordinance 4 101716

EXHIBIT A

**Albany Ridge at Conner Crossing – Legal Description
(Page 1 of 2)**

A part of the Northeast quarter of Section 28, Township 19 North, Range 4 East, in Noblesville Township, Hamilton County, Indiana more particularly described as follows:

Beginning at the Southeast corner of the West half of the Northeast quarter of said Section 28; thence South 89 degrees 14 minutes 27 seconds West 1,000.64 feet along the South line of said Northeast quarter; thence North 00 degrees 14 minutes 19 seconds East 2,651.00 feet parallel to the East line of said West half to the North line of said Northeast quarter; thence North 89 degrees 10 minutes 06 seconds East 604.30 feet along said North line to the southwesterly right of way line of S.R. 38 recorded as Instrument Number 2005-066245 in the Office of the Recorder of Hamilton County, Indiana; thence South 60 degrees 41 minutes 48 seconds East 453.51 feet along said southwesterly right of way line to said East line; thence South 00 degrees 14 minutes 28 seconds West 2,424.55 feet along said East line to said South line also being the place of beginning, containing 59.870 acres, more or less.

EXHIBIT A

Waterman Crossing – Legal Description
(Page 2 of 2)

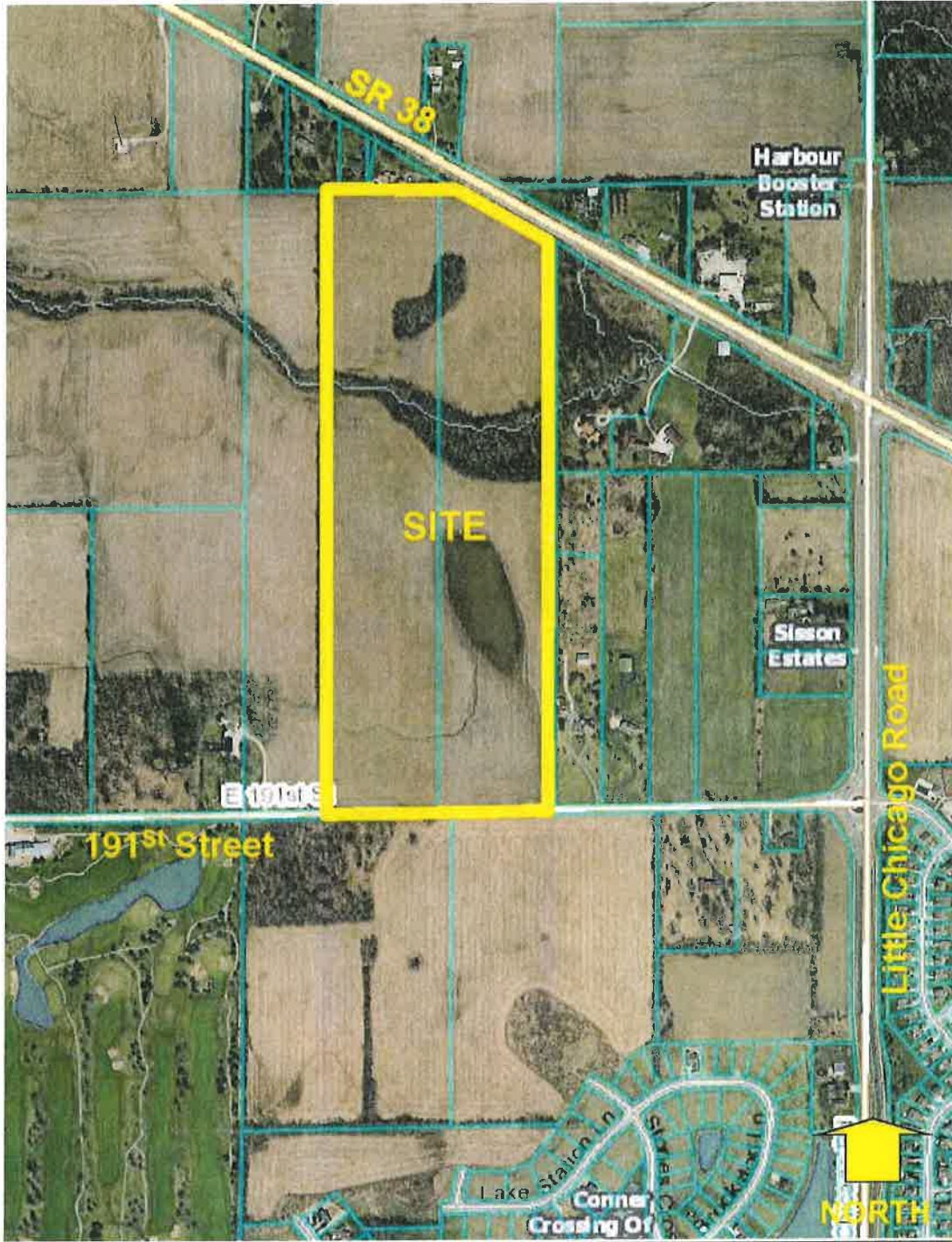


EXHIBIT B

**PRELIMINARY DEVELOPMENT PLAN
(Page 1 of 4)**

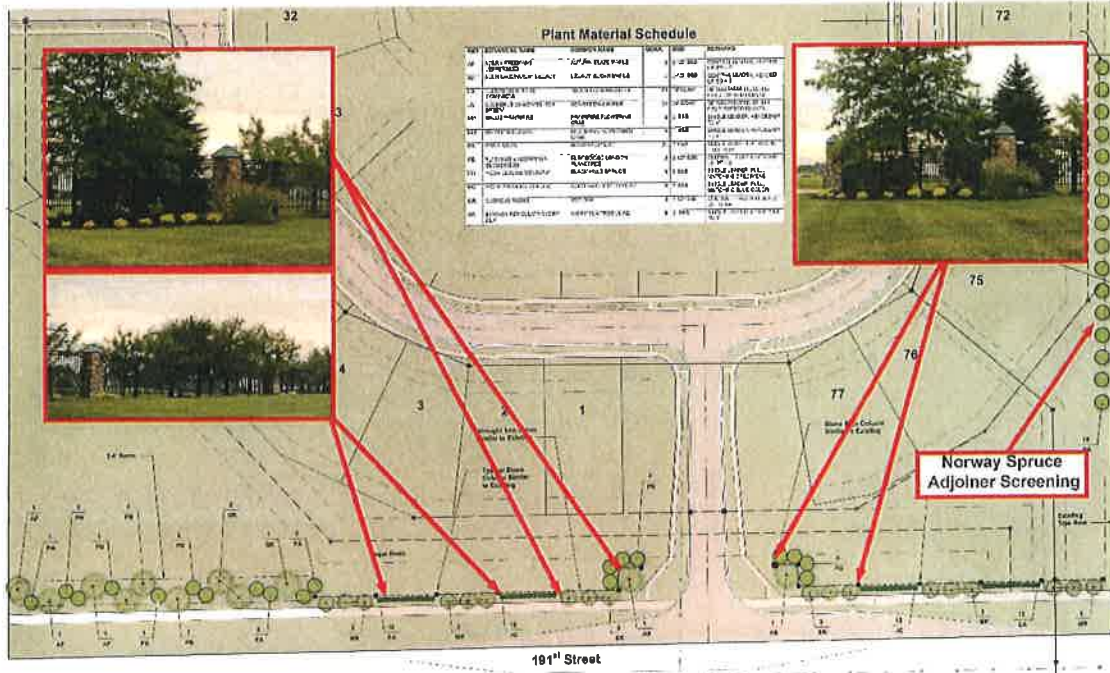


-  20' TREE PRESERVATION EASEMENT (L1&L)
-  5' LANDSCAPE EASEMENT (L3)
-  70' WIDE ROWS
-  100' WIDE LOTS



EXHIBIT B

**PRELIMINARY DEVELOPMENT PLAN
(Page 2 of 4)**



Albany Ridge
Noblesville, Indiana

Landscape Plan
Perimeter Landscaping

Prepared for:
COLUMBIAN INC
10000
Prepared by:
Hart Design



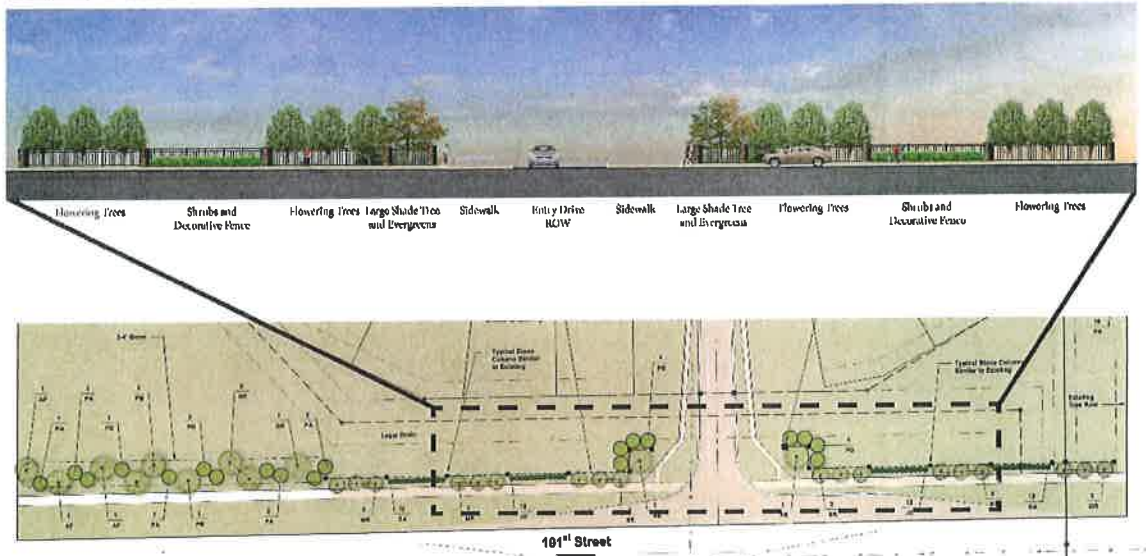
July 6, 2016



EXHIBIT B

**PRELIMINARY DEVELOPMENT PLAN
(Page 3 of 4)**

Entry Way Section Elevation



Albany Ridge
Noblesville, Indiana

Landscape Plan
Perimeter Landscaping

Prepared For:
KNAUF CEILING
& GYM
Prepared By:
Herrig Design



July 6, 2016



EXHIBIT B

PRELIMINARY DEVELOPMENT PLAN (Page 4 of 4)

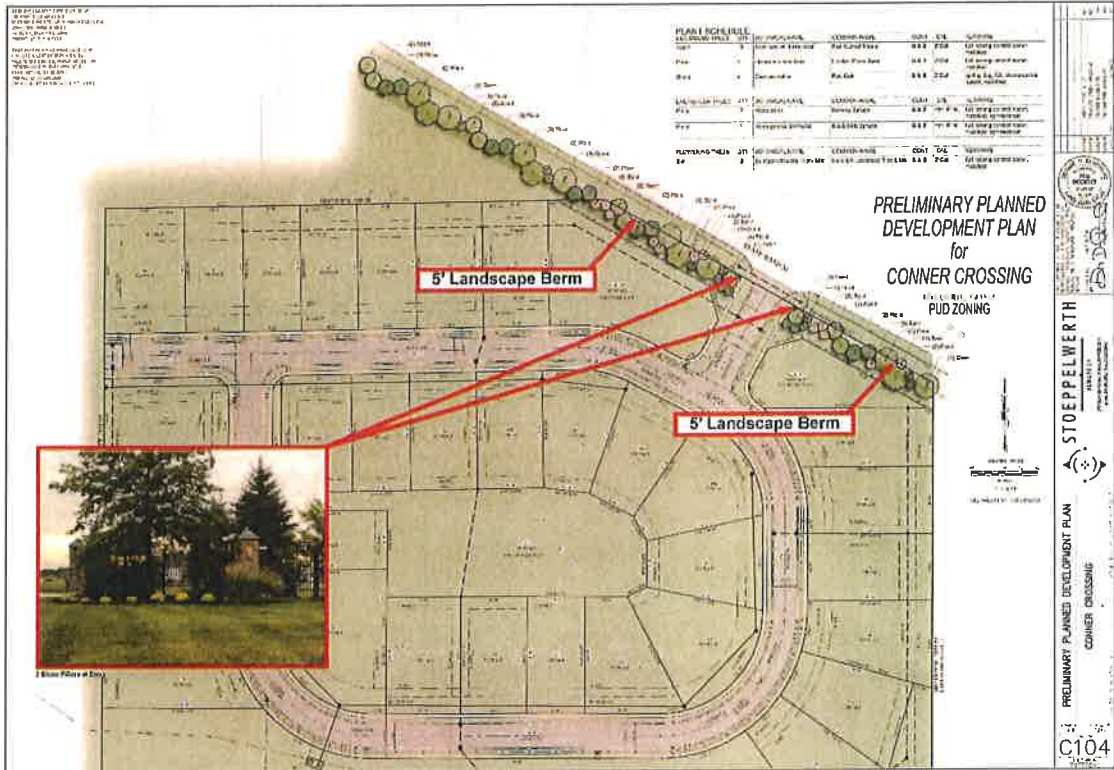


EXHIBIT C

**ARCHITECTURAL STANDARDS
(Page 1 of 1)**

Architectural Standards - Single-Family Detached Residential		Albany Ridge
Floor Area/Dwelling Unit (Minimum)	One-Story	1,800 sf
	Two-Story	2,700 sf
Lot Coverage (Maximum)		40%
Building Height (Maximum)		35 feet
Corner Breaks (Minimum)	Primary Architectural Plane	3
	Secondary Architectural Plane	2
Porch	Required	YES
	Area (Minimum)	20 sf
Address Block Required		YES
Allowable Foundation Type	Slab	YES
	Basement	YES
Masonry Percentage (Minimum)	Primary Architectural Plane	20%
	Secondary Architectural Plane	n/a
	Chimney	100%
Approved Materials (Non-Masonry)	Fiber Cement Board	YES
	Stucco	YES
	Wood	YES
	Vinyl (.048 gauge minimum)	NO
	Aluminum	NO
Roof Pitch (Minimum)	Primary Ridge	6/12
Roof Ridges (Minimum)	One-Story	3
	Two-Story	3
Roof Overhang (Minimum)	All Architectural Planes	11 inches
Allowable Vent Location (Roof)	Primary Architectural Plane	NO
	Secondary Architectural Plane	YES
Window Size (Minimum)	Standard Window	8 sf
	Accent Window	4 sf
Number of Windows; Primary Architectural Plane (Minimum)	One-Story	3
	Two-Story	4
Number of Windows; Secondary Architectural Plane (Minimum)	One-Story	2
	Two-Story	3
Number of Windows; Aggregate (Minimum)	One-Story	10
	Two-Story	14
Window Treatment Required	Primary Architectural Plane	YES
	Secondary Architectural Plane	NO
Garage Location	Primary Architectural Plane	YES
	Primary Architectural Plane (Corner Lot)	YES
Garage Door Percentage, Primary Architectural Plane (Maximum)	One-Story	35% (3 car)
	Two-Story	30% (3 car)
Garage Windows Required		NO
ARB 723-2016 - Albany Ridge (as part of Conner Crossing) Single-Family Detached Architectural Standards Approved 6/16/2016		

***Notwithstanding the above table (i) no slab foundations shall be permitted and (ii) the minimum floor area requirements of Section 5.I of this Ordinance shall apply.**