



Common Council

Agenda Item

Cover Sheet

MEETING DATE: November 12, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

ITEM or ORDINANCE: #66-11-24

PRESENTED BY: Amy Steffens

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

ORDINANCE NUMBER 66-11-24

RETREAT AT MORSE PD ORDINANCE AMENDMENT 1

AN ORDINANCE CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA

Document Cross-Reference No: 2023-002478

This Ordinance (the “**RETREAT AT MORSE PD ORDINANCE AMENDMENT 1**”) amends the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana No. 62-12-95 (the “Unified 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 City of Noblesville, of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, The Common Council of the City of Noblesville, Hamilton County, Indiana (the “Common Council”) enacted Ordinance 02-01-23, the Retreat at Morse PD Ordinance on January 24, 2023 (the “Retreat at Morse PUD”);

WHEREAS, the Advisory Plan Commission of the City of Noblesville (the “Commission”) considered a petition (**Petition No. LEGP-000192-2022**), requesting an amendment to the Unified Development Ordinance and the Retreat at Morse PUD with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the “Real Estate”);

WHEREAS, the Commission forwarded **Petition No. LEGP-000192-2022** to the Common Council with a **FAVORABLE** recommendation (**10-0**) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the City Clerk certified the action of the Commission to the Common Council on January 24, 2023;

WHEREAS, the Common Council is subject to the provision of the Indiana Code §36-7-4-1512 concerning any action on this request.

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 is hereby amended as follows:

Section 1. Applicability of Ordinance.

- 1.1 All provisions and representations of the Unified Development Ordinance and the Retreat at Morse PUD that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its exhibits, (ii) the provisions of the Retreat at Morse PUD and its Exhibits, and (iii) the provisions of the Unified Development Ordinance (the "UDO"), as amended by the Retreat at Morse PUD, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance or the Retreat at Morse PUD, as amended.
- 1.3 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Signs.** The standards of Article 11(C)1(B) Signs, of the UDO shall apply, except as noted below:

- 2.1 Location: Minimum of 3.5 feet from the street right-of-way.
- 2.2 Landscaping: Minimum of 3.0 feet from the base of the sign.

[Remainder of page intentionally left blank, signature page follows]

Approved on this _____ day of _____, 2024 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	Dave Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____

Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this _____ day of _____, 2024 at _____ .M.

Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

EXHIBIT A

LEGAL DESCRIPTION

THE FOLLOWING DESCRIBED REAL ESTATE IN HAMILTON COUNTY, INDIANA, TO WIT:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A -- BEGINNING 1150.00 FEET NORTH 00 DEGREES 00 MINUTES (ASSUMED BEARING) OF THE SOUTHEAST COMER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND ON THE EAST LINE THEREOF; THENCE NORTH 00 DEGREES 00 MINUTES ON AND ALONG AFORESAID EAST LINE 144. 90 FEET TO A POINT 13 62.1 FEET SOUTH 00 DEGREES 00 MINUTES OF THE NORTHEAST COMER OF SAID EAST HALF, THENCE NORTH 89 DEGREES 45 MINUTES WEST 818.68 FEET; THENCE SOUTH 02 DEGREES 25 MINUTES 05 SECONDS EAST 629.50 FEET; THENCE NORTH 89 DEGREES 39 MINUTES 40 SECONDS EAST 182.09 FEET; THENCE NORTH 89 DEGREES 18 MINUTES 10 SECONDS EAST 410.02 FEET; THENCE NORTH 00 DEGREES 00 MINUTES PARALLEL WITH SAID EAST LINE 475.50 FEET; THENCE SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 200.00 FEET TO THE BEGINNING POINT.

TRACT B -BEGINNING 1294.90 FEET NORTH 00 DEGREES 00 MINUTES (ASSUMED BEARING) OF THE SOUTHEAST COMER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST AND ON THE EAST LINE THEREOF; THENCE NORTH 00 DEGREES 00 MINUTES ON AND ALONG AFORESAID EAST LINE 98.30 FEET TO A POINT 1263.80 FEET SOUTH 00 DEGREES 00 MINUTES OF THE NORTHEAST COMER OF SAID EAST HALF; THENCE NORTH 90 DEGREES 00 MINUTES WEST 245.00 FEET; THENCE SOUTH 00 DEGREES 00 MINUTES AND PARALLEL WITH THE EAST LINE OF SAID EAST HALF 83 .23 FEET; THENCE NORTH 89 DEGREES 45 MINUTES WEST 574.27 FEET; THENCE SOUTH 02 DEGREES 25 MINUTES 05 SECONDS EAST 14.00 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES EAST 818.68 FEET TO THE PLACE OF BEGINNING.

THE NORTH HALF OF PLOT NO. 21 OF THE CLEAR VIEW PLAT, THIRD SECTION; BEGINNING 1007 .5 FEET NORTH OF THE SOUTHEAST COMER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND ON THE EAST LINE THEREOF; THENCE NORTH ON AND ALONG AFORESAID EAST LINE 4 7. 5 FEET; THENCE WEST PARALLEL

WITH THE SOUTH LINE OF SAID EAST HALF 200 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 47.5 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF 200 FEET TO THE PLACE OF BEGINNING.

ALSO:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1,306.30 FEET WEST OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST AND ON THE SOUTH LINE THEREOF; THENCE WEST ON AND ALONG THE SOUTH LINE 25.00 FEET TO THE WEST LINE THEREOF; THENCE NORTH ON AND ALONG SAID WEST LINE 1,306.00 FEET; THENCE DEFLECTING 90° 07' TO THE RIGHT IN AN EASTERLY DIRECTION 512.40 FEET; THENCE DEFLECTING 87° 28' 55" TO THE RIGHT IN A SOUTHERLY DIRECTION 643.50 FEET; THENCE DEFLECTING 92° 04' 35" TO THE RIGHT IN A WESTERLY DIRECTION 514.40 FEET; THENCE DEFLECTING 89° 40' TO THE LEFT IN A SOUTHERLY DIRECTION PARALLEL WITH THE AFORESAID WEST LINE 659.24 FEET TO THE PLACE OF BEGINNING.

ALSO:

PART OF THE EAST HALF OF THE QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING 845.00 FEET NORTH 89° 41'00" WEST (ASSUMED BEARING) OF THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST AND ON THE SOUTH LINE THEREOF; THENCE NORTH 89° 41'00" WEST ON AND ALONG SAID SOUTH LINE, 25.00 FEET; THENCE NORTH 00°00'00" PARALLEL WITH THE EAST LINE OF SAID EAST HALF, 200.00 FEET; THENCE NORTH 89° 41'00" WEST WITH SAID SOUTH LINE, 436.36 FEET; THENCE NORTH 00°01'00" WEST PARALLEL WITH THE WEST LINE OF SAID EAST HALF, 459.24 FEET; THENCE NORTH 89°39'30" EAST, 336.25 FEET; THENCE SOUTH 00°00'00" PARALLEL WITH THE EAST LINE OF SAID EAST HALF, 413.11 FEET; THENCE SOUTH 89° 41'00" EAST PARALLEL WITH THE SOUTH LINE, 125.24 FEET; THENCE SOUTH 00°00'00" PARALLEL WITH SAID EAST LINE, 250.00 FEET TO THE PLACE OF BEGINNING.

ALSO:

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN

NOBLESVILLE TOWNSHIP HAMILTON COUNTY, INDIANA; THENCE NORTH 89 DEGREES 41 MINUTES 00 SECONDS WEST (RECORD DEED BEARING) 510.00 FEET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A PK NAIL WITH WASHER, NAIL MARKS IN THE POINT OF BEGINNING OF THE HEREIN DESCRIBED REAL ESTATE PARCEL; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.00 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8 INCH DIAMETER IRON REBAR WITH A PLASTIC YELLOW CAP MARKED "WEIHE ENGR 0012" (CAPPED REBAR); THENCE SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 99.99 FEET, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A CAPPED RE BAR; THENCE NORTH 00 DEGREES 22 MINUTES 01 SECONDS WEST 470.76 FEET ON AND ALONG AN OPEN WIRE FARM FENCE TO A CAPPED REBAR LYING ON THE NORTH LINE OF THAT REAL ESTATE DESCRIBED IN RECORD INSTRUMENT #96-48375 AND RECORDED IN THE OFFICE OF THE HAMILTON COUNTY RECORDER; THENCE SOUTH 89 DEGREES 18 MINUTES 12 SECONDS WEST 196.92 FEET ON THE NORTH LINE OF SAID REAL ESTATE TO THE NORTHWEST CORNER THEREOF, SAID CORNER IS ALSO THE NORTHEAST CORNER OF THAT REAL ESTATE DESCRIBED IN RECORD INSTRUMENT #96-48377 AND RECORDED IN SAID COUNTY RECORDER'S OFFICE (THE NEXT 7 CALL FOLLOW THE PERIMETER OF THAT REAL ESTATE DESCRIBED IN RECORD INSTRUMENT #96-48377); 1.) SOUTH 89 DEGREES 39 MINUTES 30 SECONDS WEST 360.24 FEET TO THE NORTHWEST CORNER OF SAID REAL ESTATE; 2.) SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 413 .11 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER; 3.) SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 125 .24 FEET, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF A CAPPED REBAR; 4.) SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 250.00 FEET, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER TO A PK NAIL WITH WASHER SET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; 5.) SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 25.00 FEET ON SAID SOUTH LINE TO A PK NAIL WITH WASHER; 6.) NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.00 FEET, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER; 7.) SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 210.00 FEET PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO A CAPPED REBAR, SAID RE BAR MARKS THE NORTHWEST CORNER OF THAT REAL ESTATE DESCRIBED IN RECORD INSTRUMENT #96-48376 AND RECORDED IN THE OFFICE OF THE HAMILTON COUNTY RECORDER, THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 200.00 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, TO A PK NAIL WITH WASHER SET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 41 MINUTES 00 SECONDS EAST 100.00 FEET ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER TO THE POINT OF BEGINNING, SAID PARCEL CONTAINS 6.415 ACRES, MORE OR LESS.

ALSO:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING 870 FEET WEST OF THE SOUTHEAST COMER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, AND ON THE

SOUTH LINE THEREOF; THENCE WEST ON AND ALONG AFORESAID SOUTH LINE 110 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 200 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF 110 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.505 OF ACRE, MORE OR LESS.

EXCEPT:

PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, LOCATED IN HAMILTON COUNTY, INDIANA BEING MORE DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST; THENCE ON THE EAST LINE OF SAID SOUTHEAST QUARTER NORTH 00 DEGREES 15 MINUTES 45 SECONDS EAST 1149.75 FEET; THENCE NORTH 89 DEGREES 25 MINUTES 27 SECONDS WEST 50.00 FEET TO THE WEST RIGHT OF WAY LINE OF HAGUE ROAD PER INSTRUMENT NO. 200600015459 AND THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 25 MINUTES 27 SECONDS WEST 150.00 FEET; THENCE SOUTH 00 DEGREES 15 MINUTES 50 SECONDS WEST 31.34 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 44 SECONDS WEST 535.57 FEET; THENCE NORTH 00 DEGREES 32 MINUTES 16 SECONDS EAST 172.41 FEET; THENCE SOUTH 89 DEGREES 45 MINUTES 00 SECONDS EAST 684.74 FEET TO SAID WEST RIGHT OF WAY LINE; THENCE ON SAID RIGHT OF WAY LINE SOUTH 00 DEGREES 15 MINUTES 50 SECONDS WEST 144.62 FEET TO THE POINT OF BEGINNING, CONTAINING 2.63 ACRES, MORE OR LESS.

EXCEPT:

PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 23; THENCE NORTH 00 DEGREES 45 MINUTES 00 SECONDS WEST (BEARINGS ARE BASED UPON AN ALTA LAND TITLE SURVEY PERFORMED BY MILLER SURVEYING, INC., JOB #828457 DATED JANUARY 30, 2003) ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 1150.00 FEET TO THE SOUTH BOUNDARY OF LAND DESCRIBED IN INSTRUMENT NUMBER 9007327 AND THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 15 MINUTES 00 SECONDS WEST ALONG SAID SOUTH BOUNDARY AND PERPENDICULAR TO THE LAST DESCRIBED LINE 50.00 FEET; THENCE NORTH 00 DEGREES 45 MINUTES 00 SECONDS WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER 244.26 FEET TO THE NORTH BOUNDARY OF SAID INSTRUMENT NUMBER 9007327; THENCE NORTH 89 DEGREES 15 MINUTES 00 SECONDS EAST ALONG SAID NORTH BOUNDARY AND PERPENDICULAR TO THE LAST DESCRIBED LINE 50.00 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 00 DEGREES 45 MINUTES 00 SECONDS EAST ALONG SAID EAST LINE 244.26 FEET TO THE POINT OF BEGINNING, CONTAINING 0.280 ACRES, MORE OF LESS.

EXCEPT:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING 510 FEET WEST OF THE SOUTHEAST COMER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 19 NORTH, RANGE 4 EAST AND ON THE SOUTH LINE THEREOF; THENCE WEST ON AND ALONG AFORESAID SOUTH LINE 100 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 200.00 FEET; THENCE EAST PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF 100 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 200 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.459 OF AN ACRE, MORE OR LESS.