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HAMILTON County Recorder IN
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ORDINANCE NO. 49-11-23

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE
NO. 62-12-95, AND THE STONEY CREEK ESTATES/STONY CREEK FARMS PLANNED
DEVELOPMENT ORDINANCE NO. 16-5-99 AND ALL AMENDMENTS THERETO, A PART OF THE
COMPREHENSIVE MASTER PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY,
INDIANA**

Document Cross-Reference No: 9909936685

An Ordinance to amend the Unified Development Ordinance and Ordinance No. 16-5-99 and all amendments thereto, enacted by the City of Noblesville under the authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended, and

WHEREAS, the Plan Commission (the "Commission") has conducted a public hearing on Application No. LEGP NO. 0121-2023 (the "application") as required by law concerning an amendment relating to Ordinance No. 16-5-99, a part of the "Stony Creek Estates/Stony Creek Farms Planned Development" containing approximately 101 acres, all a part of the Unified Development Ordinance and after due consideration has sent a favorable recommendation for adoption to the Council with a vote of 11 ayes, 0 nays, and 0 abstentions at their October 23, 2023 meeting, and

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, and the "Midland Pointe Planned Development" Ordinance and all amendments thereto are hereby amended as follows:

SECTION 1. That the subject real estate as described in "Exhibit A - Legal Description", and located south of East State Road No. 38 between Stony Lane and Deshane Avenue, within the zoning

jurisdiction of the City of Noblesville, Hamilton County, Indiana and is currently zoned residential and planned business/industrial and M-PD is hereby subject to the following amendments.




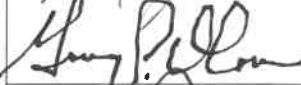





SECTION 2. That this ordinance and attachments “Exhibit A – Legal Descriptions, Exhibit B – Overall Planned Development, Exhibit C – Stony Creek Estates/Stony Creek Farms Planned Development Guidelines and Exhibit D – Amended Preliminary Development Plan relating to the Stony Creek Farms Area ” are hereby adopted as a part of this ordinance.


SECTION 3. Ordinance No. 16-5-99 is hereby rescinded and shall be of no further effect after adoption of this ordinance.

SECTION 4. This Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law. All prior ordinances or parts thereof in conflict therewith are repealed and deemed to conform to the provisions of these amendments.

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SECTION 5. Upon motion duly made and seconded, this Ordinance was fully passed by the members of the Common Council this 28th day of November, 2023.

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Dan Spartz		
	Megan G. Wiles		

ATTEST: 
 Evelyn L. Lees, City Clerk

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Presented by me to the Mayor of the City of Noblesville, Indiana, this 28th day of November, 2023 at 7:32 P.M.

Evelyn L. Lees
Evelyn L. Lees, City Clerk

Chris Jensen
Chris Jensen, Mayor

MAYOR'S APPROVAL

11-28-23
Date

Chris Jensen, Mayor

Date

MAYOR'S VETO

ATTEST:

Evelyn L. Lees
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.

Joyceann Yelton

Printed Name of Declarant

Prepared by: Joyceann Yelton, Development Services Manager, City of Noblesville, 16 South 10th Street, Noblesville, IN 46060 (317) 776-6325

Exhibit A – Legal Description

Stony Creek Estates

Part of the East Half of Section 4, Township 18 North, Range 5 East in Noblesville Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section; thence South 00 degrees 24 minutes 00 second West (assumed bearing) along the East line of said Quarter Section 342.63 feet to the POINT OF BEGINNING of this description; thence continuing South 00 degrees 24 minutes 00 seconds West along said East line 156.40 feet; thence North 89 degrees 59 minutes 57 seconds West parallel with the South line of said Quarter Section 660.00 feet; thence South 00 degrees 24 minutes 00 seconds West parallel with said East line 419.68 feet; thence South 85 degrees 28 minutes 25 seconds West 662.44 feet; thence South 00 degrees 24 minutes 03 seconds West parallel with said East line 16.26 feet; thence South 76 degrees 09 minutes 51 seconds West 572.27 feet; thence North 11 degrees 31 minutes 16 seconds West 873.31 feet; thence North 18 degrees 42 minutes 30 seconds East 28.18 feet; thence North 28 degrees 52 minutes 29 seconds East 211.10 feet; thence North 01 degrees 00 minutes 54 seconds West 538.35 feet; thence South 87 degrees 29 minutes 24 seconds East 637.22 feet; thence North 00 degrees 37 minutes 48 seconds East 292.94 feet; thence North 89 degrees 22 minutes 12 seconds West 25.00 feet; thence North 00 degrees 37 seconds 48 minutes East 669.30 feet to a point on the centerline of State Highway No. 38; thence South 76 degrees 51 minutes 57 seconds East along said centerline 1,286.49 feet; thence South 18 degrees 20 minutes 29 seconds West 194.69 feet; thence South 21 degrees 07 minutes 25 seconds West 119.62 feet; thence South 21 degrees 19 minutes 44 seconds West 73.76 feet; thence South 04 degrees 51 minutes 09 seconds West 138.39 feet; thence South 06 degrees 25 minutes 19 seconds East 137.70 feet; thence South 10 degrees 29 minutes 59 seconds West 389.33 feet; thence South 00 degrees 04 minutes 54 seconds West 155.85 feet; thence South 16 degrees 16 minutes 56 seconds West 186.00 feet; thence South 41 degrees 29 minutes 11 seconds West 82.55 feet; thence south 02 degrees 55 minutes 57 second East 45.50 feet; thence South 89 degrees 41 minutes 49 seconds East 381.26 feet to the place of beginning, containing 75.120 acres, more or less. Subject to all legal highways, rights-of-way, easements and restrictions of record.

Stony Creek Farms

Part of the East Half of Section 4, Township 18 North, Range 5 East in Noblesville Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at the Southwest corner of the Northeast Quarter of Section 4; thence North 00 degrees 12 minutes 29 seconds East along the West line of said Section 800.05 feet to the POINT OF BEGINNING; thence continuing North 00 degrees 12 minutes 29 seconds East along said West line 584.25 feet; thence South 90 degrees 00 minutes 00 seconds East 152.50 feet; thence North 00 degrees 12 minutes 29

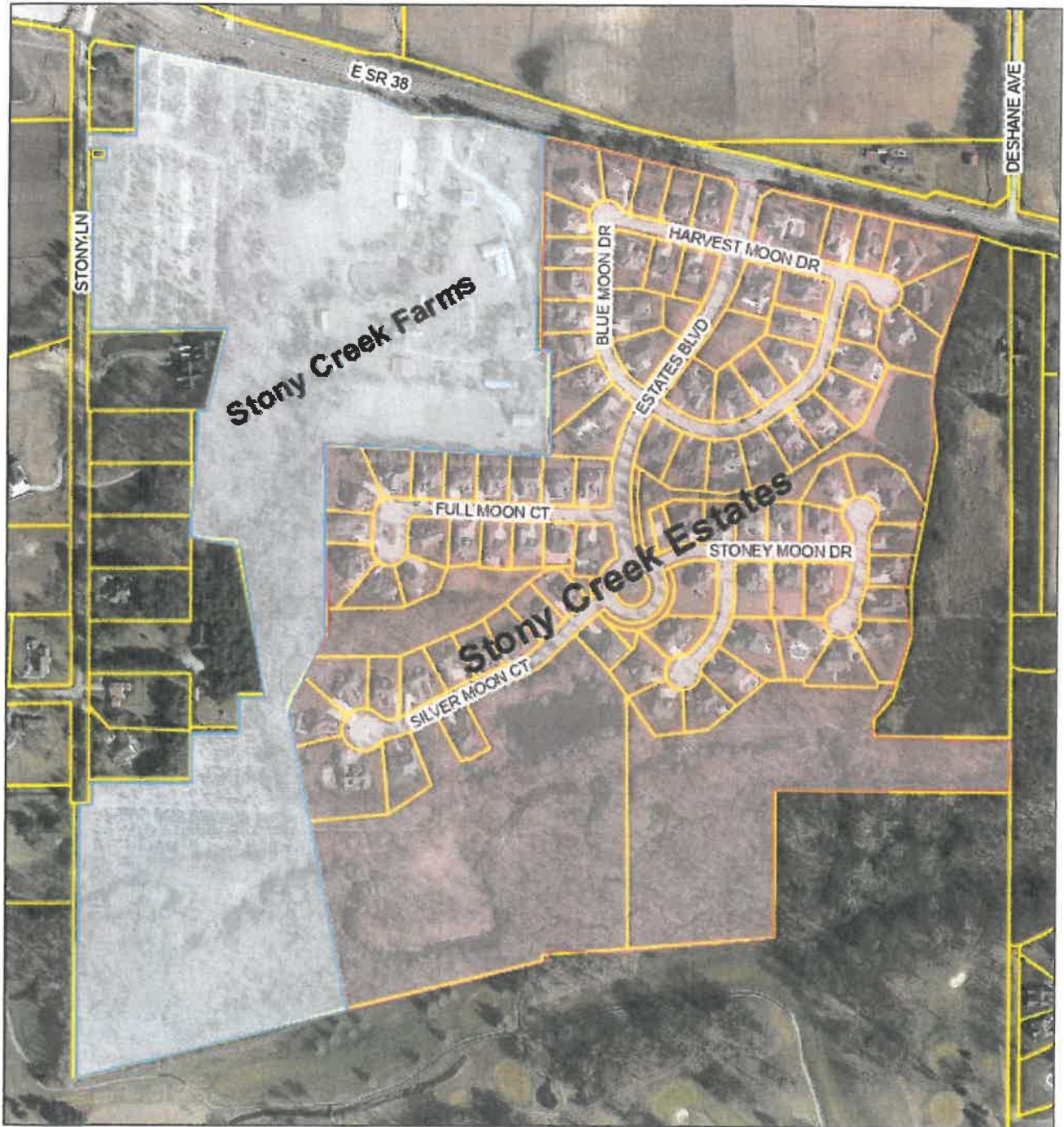
seconds East parallel with said West line 268.17 feet to a point in the center of State Highway No. 38; thence south 78 degrees 12 minutes 01 seconds along said centerline 1,070.73 feet; thence south 77 degrees 02 minutes, 01 seconds East 119.42 feet; thence South 00 degrees 37 seconds 48 minutes West 669.30 feet; thence South 89 degrees 22 minutes 12 seconds East 25.00 feet; thence South 00 degrees 37 minutes 48 seconds West 292.94 feet; thence North 87 degrees 29 minutes 24 seconds West 637.22 feet; thence North 01 degrees 00 minutes 54 seconds West 180.00 feet; thence North 14 degrees 14 minutes 21 seconds East 158.80 feet; thence North 00 degrees 00 minutes 00 seconds East 82.61 feet; thence North 90 degrees 00 minutes 00 seconds West 200.00 feet; thence South 57 degrees 34 minutes 01 seconds West 137.46 feet; thence South 87 degrees 57 minutes 29 seconds West 418.00 feet to the place of beginning, containing 25.875 acres more or less. Subject to all legal highways, rights-of-way, easements and restrictions of record.

EXCEPT

A cemetery bounded as follows:

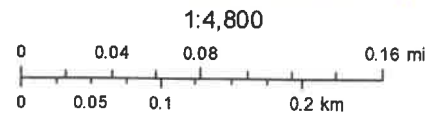
Beginning at a point 1306.8 feet North and 29.5 feet East of the center of said Section; run thence East 33.4 feet; thence North 20.0 feet; thence West 33.4 feet, thence south 20.0 feet to the place of beginning, containing 668 square feet, more or less.

Overall Preliminary Development - Aerial Photograph



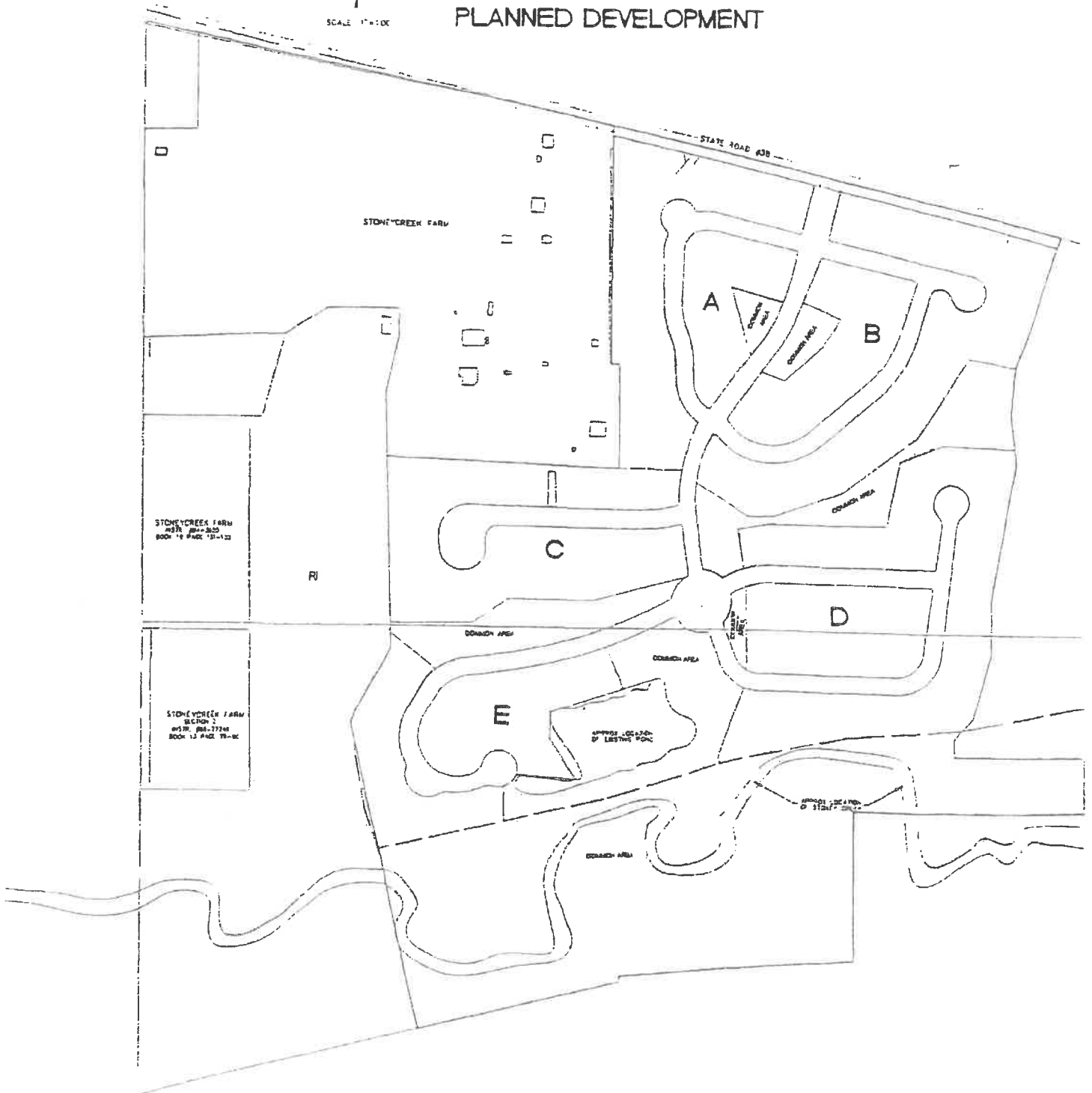
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- centerlines
- Parcels



STONY CREEK PLANNED DEVELOPMENT

SCALE 1"=100'



Stoney Creek Estates/Stoney Creek Farms Planned Development Guidelines

Section 1. **Statement of Purpose and Intent**

- A. Stoney Creek is a planned community of residential neighborhoods and residential, associated open space and recreational land uses to complement a rural lifestyle. Stoney Creek Farm continues as a part of this planned development to maintain a unique flavor to the east side at Noblesville.
- B. The Stoney Creek development standards are intended to carry out the design goals of this planned community. They are written to ensure a unified, quality development and continuity in design among the various land uses. Through creativity in design, sensitivity to the natural features of the site and compatibility of land uses, a commitment is made to the future of the community.
- C. The following principles will be used in guiding development toward a planned community which can respond to changing market conditions. The Stoney Creek PD shall:
 - 1. Encourage a more creative approach in land and building site planning;
 - 2. Encourage an efficient, aesthetic, and desirable use of open space;
 - 3. Encourage a mixed-use, master planned community providing for residential, recreational, and community services;
 - 4. Achieve flexibility and provide incentives for development which will produce a wider range of choice in satisfying the changing urban needs;
 - 5. Permit special consideration of the unique features of Stoney Creek, such as historical significance, unusual topography, landscape amenities, size, and shape and maximize the unique physical features.
 - 6. Create development patterns and project design that further the goals and policies of the City of Noblesville.
 - 7. Provide appropriate transitions between land uses while encouraging an overall community focus.
 - 8. Promote variety in the physical development pattern of the community, and provide for both land use type and density to be transferred between parcels.

Section 2. **Authority**

These standards shall apply to all property contained within Stoney Creek Planned Development as described herein. These regulations and requirements shall provide the governing standards for review, approval, and modification of all land use and development activities occurring at Stoney Creek. Provisions of these guidelines shall prevail and govern the development of Stoney Creek, superseding existing zoning and subdivision ordinances. The subdivision and zoning ordinances and regulations of the appropriate governmental entity shall apply if the provisions of these guidelines do

not address a specific subject, or if the Noblesville Plan Commission or Common Council adopt amendments to these guidelines, which they may do from time to time as necessary.

Section 3. Land Use

- A. There are three primary land use categories within the Stoney Creek conceptual Planned Unit Development, broken down as follows:

<u>USE</u>	<u>AREA</u>	<u>% TOTAL</u>	<u>PARCELS</u>
Residential	49.0 ± Ac.	48.5%	A,B,C,D,E
Commercial	26.0 ± Ac.	25.7%	Stoney Creek Farm
Open Space*	26.0 ± Ac.	25.7%	included in A B C D and Floodway

* Includes the Perimeter Yard

TOTAL	101.0 ± Ac.	100%
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- B. Parcels denoted "Residential" in these Guidelines and on the Preliminary Development Plan, shall allow institutional and ancillary land uses that are typically found in or adjacent to residential land uses. Such institutional and ancillary land uses shall include, without limitation, a clubhouse, library, school, day-care facility, or church, and shall be subject to detailed development plan review by the Noblesville Plan Commission.
- C. Stoney Creek Farm is included in the Commercial Category although that use has recreational, entertainment and tourism characteristics. The uses allowed in the Stoney Creek Farm Parcel are all uses in existence on the date of adoption of these Development Guidelines by the Noblesville Common Council.

Section 4. Residential Development Density

- A. Each of the individual Parcels of real estate that comprise the entire Stoney Creek Planned Development are denoted on the attached Preliminary Development Plan and are defined hereinafter. Each Parcel shall be allowed a maximum density expressed in a ratio of total dwelling units per gross acre. when all residential Parcels are added together, the total number of dwelling units shall not be greater than 129. The maximum density per parcel and the total of 129 dwelling units for Stoney Creek shall not be exceeded without a formal amendment to the Planned Development. Modifications of up to ten percent (10%) of gross area of parcel boundaries shall be permitted when Detailed Development Plans of individual phases of the are submitted for the Plan Commission's consideration.

Transfer of densities between parcels shall be permitted for flexibility in layout and design, and response to changing market conditions.

B. Individual residential land use parcels shall be categorized as follows:

TABLE I - PARCEL DENSITY

Parcel	Size	Land Use	Zoning
Stony Creek Farms	+/- 26 acres	Commercial	PB -Planned Business
A	+/- 9 acres	Residential – 18 lots	R-1 – Low Density Single-Family
B	+/- 13 acres	Residential – 23 lots	R-1 – Low Density Single-Family
C	+/- 7.5 acres	Residential – 20 lots	R-2 – Low to Moderate Density Single-Family
D	+/- 13 acres	Residential - 36 lots	R-2 – Low to Moderate Density Single-Family
E	+/- 6.5 acres	Residential – 32 Attached Dwellings	R-4 – One-Family to Two-Family Residential
F, G	+/- 26 acres	Open Space, Recreation, Floodplain	R1, R2, PB, or FH

Total project acreage 101 ± acres

- C. For the purposes of predicting population size and maintaining public service capacities within the Stony Creek PD, the maximum number of lots in this PD district and in each parcel of the PD district will be limited. Development densities as set forth in Table I for each individual parcel shall determine the maximum number of lots for the individual residential Parcels.
- D. If one or more of the individual Parcels reaches its maximum development density, then the density of another parcel or other parcels may have to be reduced to keep the total number of residential living units from exceeding the maximum number established herein (129).

Section 5. Residential Development Standards

- A. The following Tables shall establish certain developmental standards for the construction of improvements for the residential parcels within the Stony Creek Planned Development. Minimum lot sizes, minimum lot widths, and maximum lot coverage will be regulated by the standards in Table II. References to the residential Parcels established in Table I are used to describe land use and identify general development standards

TABLE II - SINGLE-FAMILY RESIDENTIAL DEVELOPMENT STANDARDS

Standard	Parcels "A & B"	Parcels "C & D"	Parcel "E"
Front Yard Setback	25'	25'	25'
Side Yard Setback	7.5' each side	7.5' each side	5' each side
Rear Yard Setback	20'	20'	20'
Maximum Building Height	Primary – 35' Accessory – 14'	Primary – 35' Accessory – 14'	Primary – 35' Accessory – 14'
Minimum Floor Area (Excluding garages, porches, etc)	One-story – 1,200-SF Two-story 1,400-SF	One-story – 1,200-SF Two-story 1,400-SF	1,200-SF per dwelling unit
Minimum Lot Area	12,500-SF	9,000-SF	9,900-SF
Minimum Lot Width	90'	75'	90'

- B. A Perimeter Yard which has a minimum width of 30' along the perimeter of the entire planned development, shall be developed and maintained abutting the perimeter of residential land uses at Stoney Creek. The Perimeter Yard may be owned as a common facility by the property owners' association or it may exist in the form of landscape easements on individual lots that shall run with the land. It shall be landscaped and maintained as an aesthetic amenity to Stoney Creek and as a transitional yard and landscape buffer with respect to adjoining land uses. The dimensions and typical planting of the Perimeter Yard shall be as denoted on the Preliminary Development Plan.

- C. The underlying zone district classification for each of the parcels included in the Stoney Creek PD are expressed in Table I. Unless modified herein, said underlying district guidelines shall govern construction within the Planned Development. When there is a conflict between the standards of these Development Guidelines and the existing or amended Noblesville Unified Development Code, these Guidelines shall rule.


Section 6. Preserved Open Space

- A. As part of the integrated community design, two significant areas of Open Space have been planned at Stoney Creek. They are identified on the Preliminary Development Plan and referred to as follows:

Floodway along Stoney Creek - +/- 18 acres
Central Open Space, Lake and Private Parks - +/- 8 acres

- B. For the purposes of these Guidelines, "Open Space" shall be defined as land set aside to be commonly maintained and enjoyed as permanent open space by the residents, the Developer, the Property Owners Association, or the City of Noblesville, or some combination thereof. It may be developed with landscaping or such active and passive recreational and cultural features and facilities as are necessary to serve the residents of Stoney Creek. Any land so designated shall be restricted from development with residential, commercial, office, institutional, or other such land uses which are inconsistent with the concept of Preserved Open Space.



 **OVERALL CONCEPTUAL SITE PLAN**
 SCALE: 1" = 200'-0"
 0' 50' 100' 200' 400'