

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024**

The Common Council of the City of Noblesville met in the Council chamber on Tuesday, April 9, 2024. Darren Peterson called the meeting to order at 7:00 p.m. pursuant to public notice with the following members present: Mark Boice, Mike Davis, David Johnson, Pete Schwartz, Aaron Smith, Todd Thurston, and Megan Wiles. Evan Elliott was absent.

Also present were Mayor Chris Jensen, City Clerk Evelyn Lees, Deputy Mayor Matt Light, Community Development Director Sarah Reed, Public Safety Director Chad Knecht, City Attorney Jonathan Hughes, Department Directors, staff, representatives of applicants, an interested citizen, and a member of the media.

**PLEDGE OF ALLEGIANCE**

Mr. Boice led the chamber in the Pledge of Allegiance.

**ROLL CALL**

Ms. Lees called the roll. A quorum was present.

**APPROVAL OF EXECUTIVE SESSION MEMORANDUM: MARCH 26, 2024**

Mr. Johnson moved to approve the memorandum, second Ms. Wiles, eight aye, motion carried.

**APPROVAL OF MINUTES: MARCH 26, 2024 – SPECIAL SESSION**

Ms. Wiles moved to approve the minutes, second Mr. Davis, seven aye, one abstention, motion carried. Mr. Boice abstained.

**APPROVAL OF MINUTES: MARCH 26, 2024**

Ms. Wiles moved to approve the minutes, second Mr. Davis, seven aye, one abstention, motion carried. Mr. Boice abstained.

**APPROVAL OF AGENDA**

Mr. Hughes stated public hearings for the road and park impact fee ordinances were already held by the Plan Commission, so there is no need for the Council to hold public hearings.

Ms. Wiles moved to amend the agenda to consider Proposed Development Presentation #7 after Approval of Claims and remove establishing a public hearing from Ordinances #12-04-24 and #13-04-24, second Mr. Davis, eight aye, motion carried. Ms. Wiles moved to approve the agenda as amended, second Mr. Thurston, eight aye, motion carried.

**PETITIONS OR COMMENTS BY CITIZENS WHO ARE PRESENT**

There were no requests to speak from citizens.

**MAYOR'S COMMENTS**

Mayor Jensen welcomed those who traveled back from Spring Break. He stated this is the beginning of construction season, and there are many traffic restrictions and closures. He asked citizens to contact the Mayor's office or call him personally with any concerns. He stated the end results will be good, but the process will be painful. He reminded the Chamber that the closure of Conner Street and 16<sup>th</sup> Street is an INDOT project. He stated staff are in contact with INDOT to make sure there are proper signs in place, and the Police Department is working to enforce the ordinance prohibiting trucks on Downtown residential streets. He asked for grace for everyone involved. He thanked the citizens for their patience.

He stated the total solar eclipse on April 8 provided an opportunity for families and friends to gather to watch. He commended Community Engagement Manager Aaron Head and Community Relations Manager Lexie Rock for their leadership preparing for the eclipse. He thanked the public safety departments for keeping everyone safe.

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE II**

**COUNCIL COMMITTEE REPORTS**

Mr. Davis stated the Finance Committee met on April 4. He stated Mr. Light discussed an update on impact fee analysis for roads and parks. He stated Deputy Finance Officer Ian Zelgowski discussed a summary of routine appropriation transfers for Quarter 1, 2024. He stated Deputy Controller Caitlin Moss discussed a summary of grant appropriations for Quarter 1, 2024. He stated the committee recommended approval of the claims.

**APPROVAL OF CLAIMS**

Ms. Wiles moved to approve the claims, second Mr. Davis, eight aye, motion carried.

**PROPOSED DEVELOPMENT PRESENTATION**

#7                   COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR  
CONSTRUCTION OF A HAMILTON COUNTY PUBLIC SAFETY  
COMMUNICATIONS CENTER NORTH OF EXISTING PRESLEY  
BOULEVARD AND HOME DEPOT, AND EAST OF THE HAMILTON  
COUNTY SOLAR FIELDS (STEVE WOOD)

Hamilton County Superintendent of Buildings and Grounds Steve Wood stated Hamilton County allowed City staff to launch drones from the roof of the County parking garage and the 4-H fairgrounds, which worked well. He commended City staff for their work. He stated the construction detours are working well and staff are doing a good job. He stated Hamilton County intends to build a new 911 communications center behind Home Depot that will be approximately 100,000 square feet. He stated they are working with the Planning and Engineering Departments. He stated the County is working with INDOT to provide an access road to State Road 37. He stated several years ago, the state mandated each county to have one central emergency dispatch center and one back-up center. He stated Carmel has the back-up dispatch. He stated this new communications center is planned for 25 to 50 years of growth in the county. Mr. Peterson asked if access to State Road 37 is likely to be allowed by INDOT. Mr. Wood replied the access is required by law for emergency vehicles. He stated access will be right in, right out for emergency vehicles only.

**NEW ORDINANCES FOR DISCUSSION**

#09-04-24       COUNCIL TO CONSIDER ORDINANCE 09-04-24, AN ORDINANCE  
ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA  
(DORA) IN ACCORDANCE WITH IC 7.1-3-31, AND ESTABLISHING A  
PUBLIC HEARING (AARON HEAD)

Ms. Wiles moved to introduce Ordinance #09-04-24, second Mr. Thurston. Community Engagement Manager Aaron Head displayed a PowerPoint presentation. He stated this ordinance establishes a Designated Outdoor Refreshment Area, or DORA. He stated in 2021, the City and other communities lobbied the legislature to allow local DORA districts. He stated legislation was adopted in 2023, and now staff have worked to create this ordinance. He stated a DORA allows patrons 21 years and older to purchase alcoholic beverages in a designated cup from a permitted establishment or vendor and carry those beverages within a designated area. He stated the beverages may be carried within the DORA outdoors or while shopping at retailers permitting DORA beverages within their businesses. He stated a DORA benefits tourism, creates more revenue for restaurants, bars, and retailers, and creates an easier process for organizations to host Downtown events. He stated the DORA would be in effect from noon to 11:00 p.m. Monday through Thursday and 10:00 a.m. to 11:00 p.m. Friday through Sunday. He stated beverages must be served in a designated plastic cup with DORA branding, and a maximum of two beverages may be served at one time. He stated the beverages must remain within the DORA boundaries. He stated once a beverage is carried out of a restaurant or bar, it cannot be carried back in. He stated signs will be posted at the DORA's boundaries, as well as within businesses selling the DORA beverages. He stated other retailers within the DORA will have access to window clings indicating whether the DORA beverages may enter their businesses. He

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE III**

reviewed the beverage regulations. He displayed a map of the proposed DORA boundaries, a list of businesses that are interested in being DORA permittees, and proposed vendor areas. He stated additional permittees would be added by Council resolution. He displayed types of the required signs. He explained the boundaries of the DORA and why they were chosen. He stated DORAs were created with events in mind. He reviewed the designated vendor areas. He reviewed the required signs.

Mr. Head stated DORAs are already in use in Ohio, North Carolina, and Virginia, some for almost ten years. He stated nine communities in Indiana have established DORAs, but Noblesville would be the first in Hamilton County. He stated the results in other areas have shown the DORA did not result in an increase in crime or sanitation needs, and it caused a large increase in foot traffic to businesses. He stated the Street Department already has two employees assigned to Downtown to keep it clean, and the Police Department has a safety plan in place.

Mr. Head stated the ordinance will receive a second reading and the required public hearing at the April 23 meeting. He stated if the ordinance is adopted at that meeting, he will submit an application to the State for approval the next day. He stated statute allows up to seven DORAs in the City. He stated possibilities for another DORA would be Hamilton Town Center. He stated one-day DORAs are also possible for events such as the Indiana Peony Festival or the Front Porch Music Festival. He stated any additions to the original DORA would be approved by Council resolution. He stated local restaurants and retailers are excited. He stated there is information on the City's website.

Ms. Wiles moved to establish a public hearing for Ordinance #09-04-24 at the next regular meeting, second Mr. Johnson, eight aye, motion carried.

Mayor Jensen left the meeting.

#10-04-24 COUNCIL TO CONSIDER ORDINANCE 10-04-24, AN ORDINANCE ADOPTING A CHANGE OF ZONING FROM R1 SINGLE-FAMILY RESIDENTIAL TO R5 MULTI-FAMILY RESIDENTIAL FOR APPROXIMATELY 27 ACRES NORTH OF GREENFIELD AVENUE, SOUTH OF EAST 156TH STREET, AND EAST OF PROMISE ROAD (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

Ms. Wiles moved to introduce Ordinance #10-04-24, second Mr. Davis. This ordinance was discussed with Ordinance #11-04-24.

#11-04-24 COUNCIL TO CONSIDER ORDINANCE 11-04-24, AN ORDINANCE ADOPTING A CHANGE IN ZONING FROM R5 MULTI-FAMILY RESIDENTIAL TO R5/PD RESIDENTIAL PLANNED DEVELOPMENT, INCLUDING A PRELIMINARY DEVELOPMENT PLAN FOR THE CONSTRUCTION OF FOR-SALE TOWNHOMES ON APPROXIMATELY 27 ACRES NORTH OF GREENFIELD AVENUE, SOUTH OF EAST 156TH STREET, AND EAST OF PROMISE ROAD (JOYCEANN YELTON, ATTORNEY JIM SHINAVER)

Ms. Wiles moved to introduce Ordinance #11-04-24, second Mr. Davis. Development Services Manager Joyceann Yelton stated these ordinances are for a proposed change of zoning from R1 to R5. She stated R5 is the only zoning district that allows for three or more units in one building. She stated the ordinances also adopt a preliminary development plan for two- and three-story townhomes. She displayed a site plan. She stated two-story townhomes would be on the external part of the project. She displayed various elevations of the townhomes. She stated the property is in the Corporate Campus district, which has various underlying land use categories. She reviewed the surrounding land uses. She stated there was remonstrance from neighbors at the Plan Commission public hearing citing concerns about increased traffic on 156<sup>th</sup> Street and Promise Road, density of the proposals, and the height of the buildings. She stated there was a discussion about leasing the townhomes. She stated the Plan Commission approved the project with conditions regarding leasing. She stated buyers must reside in the townhome for

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE IV**

one year before leasing, and leases must be for a minimum of 12 months. She stated the applicant has signed a commitment to do so. She stated the Plan Commission forwarded favorable recommendations for adoption with a vote of eight to zero. Mr. Hughes stated he has reviewed the commitment, and it matches the request by the Plan Commission. He stated there are exceptions for hardship and foreclosure. He stated no lease may be shorter than 12 months. He stated the commitments will be in the covenants and enforced by the Homeowners Association (HOA). He stated the Council may accept the commitments or modify them as it sees fit. Mr. Thurston asked if there could be a cap on the percentage of townhomes that could be leased. Mr. Hughes replied no, there is not, but there could be. He stated the Council has limited powers regarding zoning, but they can ask for commitments in the covenants. He stated the HOA would have the power to amend the covenants at a later date. Mr. Peterson asked if a traffic study had been conducted. Ms. Yelton replied yes, there has been. Mr. Peterson stated the Engineering Department will review the study. He stated he is comfortable with the size and density of the project.

Attorney Jim Shinaver of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of M/I Homes. He stated these ordinances request a rezone and preliminary development plan approval for the Townes at 238. He stated based on feedback from a Council member, the name may be changed to Montelena. He stated the Plan Commission voted eight to zero in favor of the project. He displayed an aerial map of the area and reviewed the surrounding uses. He stated this project would be a 27-acre infill development, which they feel is appropriate for the property. He stated the project would consist of 190 for-sale townhomes. He stated the three-story townhomes would front Greenfield Avenue and also would be internal to the development. He stated the two-story townhomes would front Promise Road and 156<sup>th</sup> Street. He stated all perimeter townhomes would front the roads with rear-load garages. He displayed elevations of the two- and three-story townhomes. He stated each townhome would have an attached, two-car garage with space for two vehicles in the driveway. He stated the development would have guest parking and possibly on-street parking. He displayed a site plan and showed the central common area. He stated amenities for the common area are included in the ordinance. He stated the townhomes will range in size from 1,500 to 2,000 square feet with an expected price range of \$290,000.00 to \$350,000.00. He stated all outdoor and exterior maintenance will be the responsibility of the HOA. He stated owners must reside in their townhome for one year before leasing, and leases must be a minimum of 12 months. He stated the applicant has worked with staff, who support the request.

Ms. Wiles stated she has constituents who are concerned about the density and traffic this development would bring. She stated 190 homes would have a significant impact, particularly on Greenfield Avenue, which is already busy. She stated she would prefer a less dense development. Mr. Peterson asked if the development did not have to be zoned R5, what would it be. Mr. Shinaver replied it would most likely be R4. Ms. Wiles stated because there was remonstrance at the Plan Commission hearing, the Council will hear these ordinances twice.

**#12-04-24      COUNCIL TO CONSIDER ORDINANCE #12-04-24, AN ORDINANCE  
ADOPTING ROAD IMPACT FEES (JIM HELLMANN)**

Ms. Wiles moved to introduce Ordinance #12-04-24, second Mr. Smith. Assistant City Engineer Jim Hellmann displayed a PowerPoint presentation. He stated most Council members have heard versions of this presentation at committee meetings. He stated Road Impact fees were adopted in the late 1990s, soon after the legislature established impact fees as a way for growth to pay for growth. He stated new users pay for improvements to infrastructure caused by growth, instead of existing residents. He stated 21,000 new residents are projected in the next ten years. He stated a study was conducted to prepare a zone improvement plan, which was reviewed by an advisory committee. He stated the fees cannot be used to fix current deficiencies. He stated Road Impact fees are assessed for all land uses, but Park Impact fees are only assessed for residential land uses. He stated each fee is in effect for five years. He stated impact fees benefit communities because they create an inventory of current conditions and capacity; revenue from collected fees must be applied according to a defined plan; and they are paid from new development and not existing residents. He stated developers benefit from knowing the cost of the fees up front. He reviewed the members who make up the advisory committee and reviewed the study process to

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE V**

arrive at a recommendation for the fees. He reviewed the impact fees that were collected and disbursed from 2019 through 2023. He reviewed construction cost inflation since the last study was completed. He stated construction costs have risen from 30 to 50 percent in the last three years. He stated the recommended Road Impact fee is \$583.00 per trip. He stated the recommended fee includes ten percent for utility relocation, which was recommended by the advisory committee. He stated it is recommended that the fee increase three percent each year to adjust for inflation. He stated \$65.00 of each fee will be dedicated to a Pleasant Street fund. He compared Noblesville's current Road Impact fee to other communities' fees. He stated fast-growing communities must charge higher fees because they are already at capacity. He reviewed sample calculations of Road Impact fees for various uses. He stated in instances when developers construct the needed improvements, they are granted credits for the Road Impact fees they would have paid. He stated City staff have a pragmatic approach to calculating Road Impact fees. He stated they begin with the ITE Trip Generation Manual, but they also look at other factors and can take additional information from the developer into account. He stated if the developer objects to the fee, there is an appeals board, but the board has never met because objections have always been resolved. He gave examples of objections to fees and how the fees were adjusted when the developer provided more information. He reviewed common questions about impact fees. He stated fees are only calculated on net increases, such as if 12 units were demolished and replaced with 20 units, the fee would only be charged on the eight new units. Mr. Peterson asked if there is a waiting period before the fees can be effective. Mr. Hughes replied they are effective after a six-month waiting period or November 1, whichever comes first. Mr. Boice thanked Mr. Hellmann for his work on the Road Impact fees. Mr. Boice stated some developers have paid PILOTs (Payment in Lieu of Taxes). He asked if impact fees are different. Mr. Hellmann replied yes, impact fees are separate from PILOTs. Mr. Boice stated the Roads Committee had a lengthy discussion on Road Impact fees and supports the recommendation.

**#13-04-24 COUNCIL TO CONSIDER ORDINANCE #13-04-24, AN ORDINANCE  
ADOPTING PARK IMPACT FEES (MATT LIGHT)**

Ms. Wiles moved to introduce Ordinance #13-04-24, second Mr. Davis. Mr. Light distributed copies of a PowerPoint presentation on the Park Impact Fees Recommendation and copies of the Recreation Zone Improvement Plan for 2023 to 2032. He thanked Mr. Hellmann for his presentation on impact fees. He stated Park Impact fees use the same framework as Road Impact fees with two differences: Park Impact fees can only be used to fund recreation projects, and the associated study focuses only on parks. He stated the Advisory Committee and consultants help in determining the recommended fee. He stated both impact fee recommendations were presented to the Plan Commission in March and to the Finance Committee last week. He stated the Park Impact fee recommendation will be presented to the Park Board at their meeting tomorrow night. He stated the study projects population growth in the next ten years. He stated the benefit to aligning approval of both impact fees allows both studies to use the same data. He stated the recommended Park Impact fee is \$4,122.00 for a single-family residence. He stated the recommended fee also included a three percent annual increase. He stated the cost to construct one trail mile has greatly inflated. He stated the last study estimated \$350,000.00 per mile, and the current estimate is \$1 million. He stated acreage acquisition for park space was estimated at \$35,000.00 per acre, and the current estimate is \$60,000.00 per acre. He stated these adjustments along with the population projections were the key drivers of the new fee calculation. He introduced Chuck Lehman of Lehman & Lehman, who performed the analysis and has for many years.

**PROPOSED DEVELOPMENT PRESENTATIONS, CONTINUED**

Mr. Hughes explained the new process for zoning and development ordinances. He stated there will be an introduction of the project to the Council, then the project will be presented to the Plan Commission for a public hearing, then it will come back to the Council for a vote. He stated if there is significant remonstrance at the Plan Commission, the Council can choose to have two readings of the ordinances before voting. He stated voting after one reading is consistent with statute and the practice of other communities. He stated Project Coordinator Jayme Thompson will serve as the primary point of contact for the developers as they go through the process.

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE VI**

- #1 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR 42 ACRES ALONG BROOKS SCHOOL ROAD BETWEEN 136<sup>TH</sup> AND 141<sup>ST</sup> STREETS FOR THE DEVELOPMENT OF A FOR-RENT COMMUNITY, INCLUDING TOWNHOMES, VILLAS, AND A COMMERCIAL AREA, A PART OF THE HYDE PARK PLANNED DEVELOPMENT (ATTORNEY JIM SHINAVER)

Attorney Jim Shinaver of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of Trinitas Development, LLC. He displayed a map of Hyde Park. He summarized that Hyde Park is a mixed-use development of approximately 274 acres with a master plan that was adopted in 2021. He stated under the terms of the master plan, each new project must be presented to the Plan Commission and the Council. He stated this project concerns approximately 42 acres at the northwest corner of 136<sup>th</sup> Street and Brooks School Road. He stated 141<sup>st</sup> Street bisects the property. He displayed a site plan. He stated the project will include residential uses and commercial outlots. He stated the residential portion will consist of townhomes and duplex villas. He stated the north portion residences will be for rent, while the south portion will have commercial outlots and additional homes. He displayed renderings of elevations of the villas, the two-story townhomes, and a clubhouse. He stated the community also will have a pool. He displayed character renderings of the commercial outlots. He stated after this presentation, the project will be reviewed by the Technical Advisory Committee (TAC); a neighborhood meeting will be held; and the project will be presented to the Plan Commission. Mr. Peterson stated the project meets the expectations of the Hyde Park development, which are high. Ms. Wiles asked what the number of units would be. Mr. Shinaver replied there will be 286 units. Mr. Smith approved of the elevations.

- #2 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR 15.5 ACRES SOUTH OF EAST 146<sup>TH</sup> STREET AND EAST OF MARILYN RIDGE SUBDIVISION FOR THE DEVELOPMENT OF 74 FOR-SALE TOWNHOMES, A PART OF THE HYDE PARK PLANNED DEVELOPMENT (ATTORNEY JIM SHINAVER)

Attorney Jim Shinaver of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of Grand Communities, LLC and Fischer Homes. He stated this project is another site in Hyde Park. He displayed a map of the area. He stated the site is 15 acres on the west side of Hyde Park and north of 141<sup>st</sup> Street the eventual extension of 141<sup>st</sup> Street. The site is on the south side of Campus Parkway and east of the Marilyn Ridge subdivision. He displayed a concept plan for 74 three-story townhomes. He stated there will be an entrance from the south at 141<sup>st</sup> Street. He displayed elevations of the townhomes. He stated the townhomes will have rear load and front load garages. He stated all townhomes will have two-car garages and driveways with room for two vehicles. He stated there also would be guest parking. He stated the townhomes would range from 2,000 to over 2,500 square feet. He stated they would have two, three, and four bedrooms with price points starting in the high \$400,000.00 range. He stated after this presentation, the project will be reviewed by the Technical Advisory Committee (TAC); a neighborhood meeting will be held; and the project will be presented to the Plan Commission. Mr. Peterson stated this project provides the “missing middle” housing identified in the housing study. He asked if there is a plan to connect to the west if the Fire Department objects to only one point of entry. Mr. Johnson agreed that having only one entrance was a concern. Mr. Shinaver replied the development could connect to Marilyn Ridge.

Mayor Jensen rejoined the meeting.

- #3 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR 52 ACRES WEST OF PROMISE ROAD AT ITS INTERSECTION WITH 196<sup>TH</sup> STREET FOR THE DEVELOPMENT OF 147 SINGLE-FAMILY HOMES, TO BE KNOWN AS BRANSON RESERVE PLANNED DEVELOPMENT (ATTORNEY JIM SHINAVER)

Attorney Jim Shinaver of Nelson & Frankenberger, P.C. at 550 Congressional Boulevard in Carmel, addressed the Council on behalf of M/I Homes. He stated this proposal is for a rezone and preliminary development plan to be called Branson Reserve. He stated the project would be

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE VII**

approximately 52 acres on the west side of Promise Road at 196<sup>th</sup> Street. He reviewed the surrounding uses. He displayed a concept plan. He stated the project would consist of for-sale single-family detached ranch and two-story homes. He stated the entrances would be on Promise Road and connecting to a stub street to the west. He stated there would be an open space common area. He displayed elevations of the proposed homes. He stated home sizes would range from 1,500 to 2,900 square feet. He stated prices would range from \$380,000.00 to \$450,000.00. He stated after this presentation, the project will be reviewed by the Technical Advisory Committee (TAC); a neighborhood meeting will be held; and the project will be presented to the Plan Commission. Mr. Thurston asked if a similar product is being built nearby. Mr. Shinaver replied yes, in Silo Ridge. Mr. Peterson stated language regarding rentals should be included in the covenants. He stated the elevations have been improved, but the site plan lacks creativity.

**#4 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR AN  
AMENDMENT TO THE LOFTS ON TENTH PLANNED DEVELOPMENT  
FOR THE CONSTRUCTION OF TWO OFFICE/RETAIL/SALON SUITES AT  
1032 AND 1046 CLINTON STREET AND 1041 AND 1045 WAYNE STREET  
(MASON KLAIN)**

David Klain of DB Klain Construction, LLC addressed the Council. Mr. Klain displayed a PowerPoint presentation. He stated DB Klain Construction has been in business for 31 years. He stated they build, lease, and manage their own commercial office and retail buildings, as well as residential construction. He stated they build many small infill developments. He stated the last project was the village center in the Village of West Clay.

Mason Klain addressed the Council. He stated this request to amend the Tenth Street Lofts planned development ordinance would allow the construction of two office/retail buildings, one on Wayne Street and one on Clinton Street. He stated the buildings would be two stories with exterior stairs. He stated the buildings would have brick on three sides, and the sidewalks would extend to the curbs. He stated there would be five parking spaces at the back of each building. He stated tenants are expected to be there approximately 60 percent of the time. He stated they often are business incubators that lease to attorneys, realtors, barbers, and similar businesses. He stated often the business owners move their homes to the same area. Mr. Peterson stated initially he had concerns, but he appreciated their efforts. He stated this type of building is needed. He expressed appreciation for their efforts to communicate with the neighbors and that they added parking. Mr. Smith stated the company has a good track record for attention to detail.

**#5 COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR AN  
AMENDMENT TO THE CRANBROOK PLANNED DEVELOPMENT TO  
PERMIT THE CONSTRUCTION OF A 14,772 SQUARE FOOT BUILDING  
FOR A GODDARD SCHOOL (KELLY CANTER)**

Mitch Manders spoke on behalf of his wife, Denise, and Kelly Canter. He stated he and his wife own and operate a Goddard School in Carmel. He stated this proposed school would be in Noble West. He reviewed his and his wife's background in business that led them to own a Goddard School. He stated they have three young children and understand the need for quality childcare. He displayed a chart showing the demand for childcare in west Noblesville. He stated the number of childcare centers needs to double to keep pace with growth. He stated in east Westfield and west Noblesville, there are 1,400 children under the age of five within a two-mile radius with only four licensed childcare centers. He stated their site would be at State Road 32 and Moontown Road. He displayed a map of specific inquiries for Goddard Schools. He displayed a site plan of the proposed school. He stated the school would be 14,772 square feet. He stated they have met twice with staff to gain their feedback. He stated the playgrounds would be close to the residential area and away from the roads. He stated the school would have 74 parking spaces, which is double the parking of the Carmel site. He stated they would comply with all Noblesville regulations. He displayed elevations of the proposed building. He stated the exterior would be constructed of stone and hardie plank. He stated Goddard recently updated their design. He displayed the proposed room plans. He stated the school would provide 35 to 40 jobs and have two infant rooms. Mr. Boice expressed concern about the school being on State

**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE VIII**

Road 32. Mr. Manders replied the full perimeter of the school will be fenced, and there will be two sets of doors at the building entrance for security.

#6                    COUNCIL TO HEAR INTRODUCTORY INFORMATION FOR  
CONSTRUCTION OF A WAWA FUEL CENTER AND A GARDEN OFFICE  
BUILDING ON APPROXIMATELY 4.5 ACRES AT THE SOUTHWEST  
CORNER OF EAST 146<sup>TH</sup> STREET AND HOWE ROAD, TO BE KNOWN AS  
HOWE CAMPUS CORNER PLANNED DEVELOPMENT (JOE FARR)

Mark Leach of Faegre Drinker Biddle & Reath LLP at 600 East 96<sup>th</sup> Street, Indianapolis, addressed the Council on behalf of the applicants. Mr. Leach stated the proposed development would be at the southwest corner of 146<sup>th</sup> Street and Howe Road, adjacent to the Woodbury subdivision in Fishers. He stated they have met with Woodbury's Homeowners Association many times and have their board's unanimous endorsement of the project. He displayed a concept plan. He stated office buildings would be constructed on the north and west sides of the property. He stated this project will be the only convenience store and gas station on the south side of 146<sup>th</sup> Street to serve eastbound drivers. He stated there are two on the north side of the road. He displayed elevations of the Wawa convenience store and fuel station and the office buildings. He displayed maps of proposed landscaping and lighting plans. He stated the traffic study has been conducted, but comments have not been received yet. He stated they have also met with Fishers' staff to get their input. He stated they hope to start construction in early summer. Mr. Peterson asked if the site is in the Fishers sanitary sewer district. Mr. Leach replied yes, it is. Mr. Peterson asked if placing the fuel center on the south end of the property had been considered.

Joe Farr of GDF Greenfield, LLC at 14542 Integrity Court in Carmel addressed the Council. Mr. Farr stated the gasoline pumps were moved as far away from the nearby homes as possible, and the Wawa building and office building will serve as buffers. He stated they have tried to accommodate the neighbors regarding noise, traffic, and the gas pumps.

Mr. Boice asked if a Wawa gas station also is planned for 191<sup>st</sup> Street and State Road 37. Mr. Farr replied that is an additional site, and they are discussing it with the neighbors.

#8                    COUNCIL TO CONSIDER AN AMENDMENT TO THE NOBLE WEST  
PLANNED DEVELOPMENT ON 31 ACRES TO INCLUDE  
APPROXIMATELY THREE ACRES OF COMMERCIAL DEVELOPMENT,  
284 APARTMENTS, AND 150 FOR-SALE TOWNHOMES, NORTH OF  
EDENSHALL DRIVE AND EAST OF HAZEL DELL ROAD  
(ATTORNEY JIM SHINAVER)

Jennifer Sewell of Cityscape Residential at 10 West Carmel Drive in Carmel, addressed the Council on behalf of Mr. Shinaver and the applicant. Ms. Sewell stated this request amends the Noble West Planned Development. She displayed an aerial map of the area. She stated this property is north of the Kroger expansion that was recently approved and is separate from that project. She displayed a site plan of the project. She stated the land is approved for 611 units, and this project would be less dense. She stated the project consists of up to 284 multi-family units, up to 150 for-sale townhomes, and approximately 30,000 square feet of retail outlots. She stated Cityscape would construct the multi-family units, which would be one, two, and three bedrooms with high-end amenities. She stated Lennar would construct the three-story townhomes, which would range in size from 2,000 to 2,400 square feet. She stated Northwest Partners would develop the retail outlots. She stated Northwest Partners is also constructing the Kroger expansion. She stated Cityscape has constructed similar developments in Fishers and Carmel. She stated all garages will be in-facing, and high-end users are expected to occupy the outlots. She stated the site plan aligns with the tree preservation area in the Noble West planned development and preserves the flood plain. She stated Lennar has built a similar product at 116<sup>th</sup> Street and College Drive in Carmel, and just west of Downtown in Fishers. Mr. Johnson asked if the site is north of Dillon Park. Ms. Sewell replied yes, it is.



**COMMON COUNCIL  
CITY OF NOBLESVILLE  
APRIL 9, 2024, PAGE IX**

**MISCELLANEOUS**

- #1 COUNCIL TO CONSIDER RESOLUTION RC-9-24, A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT AGREEMENT WITH CITYSCAPE RESIDENTIAL FOR A MIXED-USE DEVELOPMENT IN THE NOBLE WEST PLANNED DEVELOPMENT (ANDREW MURRAY)

Economic Development Director Andrew Murray displayed a site plan of the project. He stated this economic development agreement is for the same project that was just presented. He stated this resolution memorializes an agreement between the City and Cityscape Residential. He stated Cityscape recently built the Nexus apartments. He stated the agreement includes commitments by the developer. He stated the City's investment will include the issuance of TIF bonds for the project not to exceed \$6.7 million, which the developer will purchase. He stated the City will pledge 83 percent of the TIF revenue for 25 years from the multi-family project to the developer to pay debt service on the bonds. He stated the remaining 17 percent of the TIF revenue would belong to the City. He stated all TIF revenue generated by the commercial portion will belong to the City. He stated the Finance Committee has reviewed the agreement and recommends approval. Ms. Wiles moved to approve Resolution RC-9-24, second Mr. Schwartz, eight aye, motion carried.

- #2 COUNCIL TO RECEIVE A SUMMARY OF FISCALLY NEUTRAL FIRST QUARTER APPROPRIATION TRANSFERS PURSUANT TO RESOLUTION RC-1-24 (IAN ZELGOWSKI)

Deputy Controller Caitlin Moss spoke on behalf of Ian Zelgowski. She stated there were no transfers to report in the first quarter.

- #3 COUNCIL TO RECEIVE A SUMMARY OF APPROPRIATION OF FIRST QUARTER GRANT PROCEEDS PURSUANT TO RESOLUTION RC-2-24 (CAITLIN MOSS)

Deputy Controller Caitlin Moss presented the report of grant proceeds received in the first quarter.

**COUNCIL COMMENTS**

There were no comments.

**ADJOURNMENT**

There being no further business before the Common Council this 9<sup>th</sup> day of April, 2024, Mr. Peterson adjourned the meeting.

---

DARREN PETERSON, PRESIDENT

ATTEST:

---

EVELYN L. LEES, CLERK