

The Noblesville Plan Commission met in regular session on Monday, November 20, 2023 at 6:00 PM in the City Council Chambers. Members in attendance were as follows:

Malinda Wilcox, President – Citizen Member
N. Scott Smith, Vice President – Citizen Member
Christine Albregts-Cook – Jurisdictional Member
Mark Boice – Council Representative
Dave Burtner – Jurisdictional Member
Steve Cooke – Citizen Member
Dr. Joe Forgey – Citizen Member
Gretchen Hanes, Board of Public Works Representative
Jim Hellmann – Assistant City Engineer
Anita Rogers – Citizen Member
Angie Sutton – Park's Board Representative

Others in attendance: Planning and Development Director/Secretary, Caleb P. Gutshall; Development Services Manager, Joyceann Yelton; Senior Planners, Kevin Martin and Amy Steffens; and Acting Plan Commission Attorney, Jacob Antrim

President Wilcox calls the meeting to order at 6:00 PM.

OPENING CEREMONIES

President Wilcox leads the Plan Commission in the Pledge of Allegiance.

DETERMINATION OF A QUORUM

Mr. Caleb Gutshall, Plan Commission Secretary commences with the roll call and declares a quorum with eleven (11) members present.

MINUTES

No minutes were presented for review.

RULES OF CONDUCT/MEETING PROCEDURES

Ms. Yelton read the "Rules of Conduct/Meeting Procedures" for the public hearing process as follows:

Rules of Conduct

- Turn off all devices or to vibrate at this time.
- If you wish to speak during the public hearing, please complete a 'Request to Speak' card available at the entrance to the Council Chambers. You will be allowed to present during the Public Hearing.
- During comments, we ask that you do not repeat previously stated comments.

- Speak directly into the microphone so that your comments can be put into the record.
- Do not applaud or comment on what others are presenting.

"For items requiring a Public Hearing, tonight's meeting has the following structure:

- The staff will summarize the petition(s).
- Then, the petitioner will be given up to 20 minutes to present to the Plan Commission, followed by Plan Commission discussion.
- The President will open a Public Hearing. Individuals will be given 3 minutes to speak, and a group representative will be given 5 minutes to speak. The Public Hearing will be closed when all interested members of the audience have had a chance to be heard.
- The petitioner will then have a chance to comment on concerns raised during the Public Hearing.
- The Plan Commission will follow with any comments, questions or concerns regarding the petition as presented."

The following is a synopsis of the meeting as the recording device failed to record.

CONTINUED ITEM

1. **Application No. PLAT 0037-2023** Primary Plat for the creation of two lots as a residential subdivision to be known as "Eppic Acres" located at 16907 Gray Road and 4932 E. 169th Street (Noblesville City). Submitted by Curtis and Angela Epp (Owners) and CRIPE (Alex Ray, Applicant)

Mrs. Amy Steffens, Senior Planner, states the property is located north of E. 169th Street and east of Gray Road. The item was continued from the last meeting after a discussion regarding the trail adjacent to both lots. It was previously stated that they were only installing the trail along the lot being used by Citizens Water. The site is three adjoining parcels totaling 5.1 acres and is zoned SR "Suburban Residential". There is an existing residence on the one parcel with accessory buildings and Citizens Water is proposing a booster station. It has been agreed that the trail will be extended along both lots and connect to the existing trail along both roads.

Motion by Ms. Hanes seconded by Mr. Boice to approve the primary plat as per Application No. PLAT-0037-2023 with the following stipulations:

- i. All Technical Advisory Committee requirements shall be met prior to signatures on the Secondary Plat, and
- ii. The Board of Zoning Appeals approval recordation number from the Acknowledgement of Variance shall be included on the Secondary Plat.

AYES: Hanes, Boice, Dr. Forgey, Albregts-Cook, Rogers, Cooke, Sutton, Smith, Burtner, Hellmann, Wilcox

NAYS: Zero **ABSTAIN:** Zero **Motion carried 11, 0, 0**

Intentionally Left Blank

NEW PUBLIC HEARINGS

2. Application No. 0138-2023 Change of Zoning from R1 Single-Family Residential to R5 Multi-Family Residential, a part of the "Cranbrook Planned Development" for approximately 5 acres located in the 17200 block of Moontown Road, east side and north of Castamere Drive (Noblesville City). Submitted by Platinum Properties Management Company, LLC (Owners), Lennar Homes of Indiana, LLC (Builder), and Jim Shinaver, Attorney

2A. Application No. 0139-2023 Change of Zoning from R5 Multi-Family Residential to R5/PD Multi-Family Planned Development and adoption of an amended preliminary development plan and ordinance for the "Cranbrook Planned Development" for approximately 5 acres located in the 17200 block of Moontown Road, east side and north of Castamere Drive (Noblesville City). Submitted by Platinum Properties Management Company, LLC (Owners), Lennar Homes of Indiana, LLC (Builder), and Jim Shinaver, Attorney

Mr. Kevin Martin, Senior Planner, states the property is located on the northeast corner of Moontown Road and Castamere Drive and north of State Road No. 32. The property is zoned "R1 Single-Family Residential" with the State Road No. 32 Overlay and it being a part of the Cranbrook Planned Development that was established in 2016. The request is for a change of zoning to "R5 Multi-Family Residential" to allow for 48 townhomes on the 5 acres with a density of 12.2 unit per acre. Unit sizes range from 1,400-SF to 1,800-SF. Each unit will have a two-car garage located at the rear of the structure with an area for two additional parking spaces in the driveways and parking along Castamere Drive and within the development. The ARB reviewed the elevations and requested enhancements to the sides that are visible from Castamere Drive noting that those improvements included additional landscaping as per the submitted drawings. Waivers include minimum lot area decrease from 3,000-SF to 1,400-SF; minimum lot frontage per lot from 150-FT to 20-FT, minimum front yard setback from 30 feet to 20-feet; and maximum height of a ground sign from six feet to ten feet. Staff does not support the maximum height of the sign being ten feet. The original Cranbrook development including 86 single-family homes between Moontown Road and Emerald Village at Pebble Brook located on the eastern side of the development thus maintaining the property was vacant along Moontown Road. There are several pipeline easements that are through this property (north and east) making it difficult to build on the site. There was one telephone call received from the neighbor to the north concerned about visual impact and additional email received today (17709 Arryne Drive, West) noting visual impact, and traffic patterns.

Mr. Jim Shinaver, Attorney with Nelson & Frankenberger, 550 Congressional Drive, Carmel, Indiana states with him this evening are Paul Rioux, Platinum Properties (Developer/Owner), Tony Bagato, Lennar Homes of Indiana (builder). During 2016 approval was sought for the 86 single-family dwellings with the remainder of the site being left untouched as we did not have a proposal for the site thus the 19 acres just east of Moontown Road and north of State Road No. 32 remained as "R1" zoning until such time we had a specific use for the property. Site contains five acres with a maximum of 48 townhome units. All townhomes will front a street with the rears of the homes facing internal to the site that include the garage side. All internal alleys are private to be maintained by the HOA. Each unit will have two parking spaces in the driveways and two spaces within the garages. Additional guest parking includes seven spaces located in the northeast corner of the site. The home elevations were encouraged by Staff, the administration, and Economic Development and are similar to the townhomes in Monon Crossing in Carmel. It is a brick structure with rear garages, private patios. All sides will have windows. ARB

reviewed and approved the elevations on October 18, 2023. On November 14, 2023 we held a neighborhood meeting with most of the talk surrounding the architecture.

President Wilcox asks if they are willing to reduce the size of the sign and agreeable to the Cranbrook Name.

Mr. Shinaver states yes.

President Wilcox asks if parking will be allowed in the alleys and if there will be signage.

Mr. Shinaver states no parking will be permitted on the alleys and signage can be added.

Mrs. Albregts-Cook asks why the change of zoning.

:Mr. Shinaver states in 2016, these 19 acres had no proposed development so the City Council at that time was not willing to rezone the area without a specific use being provided. As these are townhomes that are within a building or more than three units, the "R5" zoning is required for townhomes. He states the "R5" zoning is mostly for apartment units and not geared towards the attached single family of multiple units in a single building. The mix of housing types such as single-family detached, apartments, and two-family attached homes is the type of neighborhoods being proposed in Noblesville.

President Wilcox opens the public hearing.

Ms. Angelle Hall, 5169 Arryne Drive South, Noblesville, Indiana representing the HOA as well as herself has the following comments:

1. Being 100% masonry product impacts the surrounding neighborhoods as they are vinyl siding or a mix of masonry and siding.
2. Three-stories is not suited to the surrounding neighborhoods as those have only single-and two-story structures.
3. Loss of view and decrease in property values
4. Increase in traffic to the area and will add to the cut-through traffic throughout the adjacent neighborhoods
5. Increased cost for a dedicated turn lane onto Moontown Road
6. Overcrowding in schools with a current ratio of 16 students to 1 teacher at the elementary school. Difficult to hire teachers so the ratio would continue to climb.
7. Schools should build another school in the area.
8. More opportunities for crime
9. There will be large dumpsters for trash pick-up which is unsightly.
10. Cause for deterioration of health for the elderly in the adjacent neighborhoods.

Mr. Albert Saunders, 17755 Bentgrass Drive, Noblesville, Indiana states that he was informed by our ARB that these homes do not meet the standards noting that everything in the area has pitched rooms and these are slightly slanted noting it does not fit the area.

Ms. Christy Jennings, 17822 Moontown Road, Noblesville, Indiana resides just north of the proposed townhomes states that we discussed with the applicants additional landscaping to buffer our home from these townhome units, and they agreed but I want it on the record.

Mr. Jim Wanemacher, 5260 Castamere Drive, Noblesville, Indiana states he is a member of the HOA and has lived in the area for the past four years noting that the design of the buildings are awful. As a Noblesville School Bus Driver, Castamere Drive should be called "Drag-strip Castamere Drive". It is difficult for a school bus to drive down a street that has parking on both sides.

Mr. Matthew Cole, 18005 Sun Ridge Circle, Noblesville, Indiana move to the area and was told that the vacant properties would remain vacant. The UDO and Comp Plan does not support this type of development.

Mr. Jack Oliver, 4840 Ashbrook Drive, Noblesville, Indiana states he is concerned about the traffic as he sees this development causing more traffic internal to the adjacent neighborhoods to Pebble Brook Boulevard. Needs to be single-family homes as the townhomes will over-populate the area.

Seeing no other individuals coming forward to speak on this matter, the Public Hearing was closed by President Wilcox.

Mr. Jim Shinaver states the height in an R1 zoning district is 35-FT and these structures will be 36.25-FT. No dumpsters are proposed for the area as it will be typical blue can trash pick-up throughout the neighborhood. School business will not drive on the private alleys. The homes will be in the upper \$300,000.

Mr. Burtner asks about the breakdown of the bedroom units in the development.

Mr. Shinaver states those are all three-bedroom units.

Paul Rioux, Platinum Properties, states that they did meet with the neighbor to the north and have agreed to plant trees adjacent to her property after she contacts the Indiana Department of Forestry for a list. Platinum properties have developed all of the surrounding neighborhoods. The City Council did not wish to rezone the 19 acres east of Moontown Road as we did not have uses for that acreage at that time but now, we do; so we are back to amend the ordinance.

Mr. Boice states he appreciates all that Platinum Properties has done for the area noting that he is anti-high density and being concerned that the garages will be used for storage thus eliminating two parking spaces.

Mr. Hellmann states for this area a traffic study was not required as there would only be 320 trips and our threshold is 1,000 trips. Currently underway is a city-wide traffic study so this proposed development would be part of that data. Normally, on-street parking has a tendency to calm the traffic and reduce the speeds along the street.

Mr. Cooke asks if a roundabout is planned for State Road No. 32 and Moontown Road.

Mr. Hellmann states yes and would be under construction 2026 -2027.

Motion by Ms. Hanes seconded by Mr. Burtner to forward a favorable recommendation to the Council for the Change of Zoning for Application No. LEGP 0138-2023 as per the Staff Report and Presentation from R1 Single-Family Residential to R5 Multi-Family Residential for approximately 5 acres.

AYES: Hanes, Burtner, Sutton, Rogers, Albregts-Cook, Cooke, Smith, Hellmann, Dr. Forgey, Wilcox
NAYS: Boice ABSTAIN: Zero Motion carries 10, 1, 0

Motion by Ms. Hanes seconded by Mr. Burtner to send a favorable recommendation for adoption to the City Council for an amended development plan and ordinance for the Cranbrook Planned Development as per the Staff Report and presentations at the meeting including the following waivers:

1. Reduction of the minimum lot area to 1,400-SF
2. Reduction of minimum lot frontage to 20-FT
3. Reduction of minimum front yard setback to 20-FT, and

Including the following stipulations:

1. The remaining property shall be Secondary platted prior to the issuance of an Improvement Location Permit
2. That the proposed sign shall identify the planned development name of "Cranbrook" and that the height of the sign could be ten feet

AYES: Hanes, Burtner NAYS: Smith, Sutton, Hellmann, Rogers, Boice, Albregts-Cook, Cooke, Dr. Forgey, Wilcox ABSTAIN: Zero Motion fails 2, 9, 0

Motion by Mrs. Rogers seconded by Mr. Smith to send a favorable recommendation for adoption to the City Council for an amended development plan and ordinance for the Cranbrook Planned Development as per the Staff Report and presentations at the meeting including the following waivers:

- Reduction of the minimum lot area to 1,400-SF
- Reduction of minimum lot frontage to 20-FT
- Reduction of minimum front yard setback to 20-FT, and

Including the following stipulations:

- The remaining property shall be Secondary platted prior to the issuance of an Improvement Location Permit
- That the proposed sign shall identify the planned development name of "Cranbrook" and that the proposed sign shall meet UDO requirements not exceeding the maximum height of six feet.

AYES: Rogers, Smith, Hanes, Burtner, Sutton, Hellmann, Albregts-Cook, Cooke, Dr. Forgey, Wilcox
NAYS: Boice ABSTAIN: Zero Motion carries 10, 1, 0

Intentionally Left Blank

3. Application No. 0140-2023 Amended development plan and ordinance for the "Allegro Planned Development" to consider a "special consideration" for a school on approximately 17.9 acres of the overall 31-acre site located in the 14600 – 14800 block of Boden Road, west side (Noblesville City). Submitted by Boden Road Properties, LLC (Owners), Alhuda Foundation, Inc. (Applicants) and Gordon Byers, Attorney

Mrs. Amy Steffens, Senior Planner, states the applicant is seeking an amendment to the Allegro Planned Development and a special consideration for a school use on approximately 18 acres of the 31-acre site. The Allegro Planned Development was adopted in August 2022 allowing for single-family residential and townhomes. The site is zoned CCPD Corporate Campus Planned Development with a designated land use of "single-family residential" and a subdistrict of "mixed residential": The Corporate Campus purpose is to encourage economic development activity and high quality, well-integrated developments that expand employment opportunities. Mixed Residential Subdistrict allows for all types of residential uses with complimentary institutional uses being permitted. Nursery schools, pre-schools, primary and secondary schools, colleges, and universities are special consideration uses and if approved would allow a school use within the Allegro Planned Development. The perimeter buffer yards would be 25-FT along the east, west, and south with the 50-FT remaining along the north with 50-FT being required around the entire site. The applicant is proposing the elimination of building base landscaping so as to allow for clear visual access to the building's exterior thus increasing security surveillance to the building. School sites are compatible uses within a residential development. Proposed is a timeline extension to allow up to three years to obtain a permit for construction as the UDO does have a restriction. The Technical Advisory Committee would review their final drawings for compliance with the UDO standards, site design and infrastructure. Staff is supportive of the request and waivers including the secondary plat.

Mrs. Albregts Cook asks what school corporation they are affiliated with.

Mr. Cook states it is a private school.

Mr. Boice asks if private school pays property tax as he is concerned with the payments to the TIF in this area.

Mr. Gutshall, Planning Director, states Development Team, Mayor, Economic Development all support this development.

Mr. Gordon Byers, Attorney, 298 S. 10th Street, Suite 300, Noblesville, Indiana states present with him this evening are Attaliah Sherif, School Administrator, Saimir Qualliu, Adel Nada, and Schmidt and Associates Bob Ross, Engineer, and their architect. Private schools are 5013C under the tax code and are tax exempt. Currently, this school has three buildings in Fishers just north of the municipal building which backs up to a lake. Proposal is to consolidate all their sites into a single location as opposed to being scattered. Currently there are approximately 400 students in grades K-12 and travel from not only Hamilton County but the adjacent counties. It is a great location for a school site. Residential areas are appropriate for school uses. The request is to approve a special consideration for the school use and amend the preliminary development plan to include the school side and amend the ordinance relating to the waivers. The proposed access points are slightly modified from the previous adopted site plan. With 400 students and 45 employees currently; there maximum buildout is 800 students. Architectural renderings were shared with the Commission having 120,000-SF of building, 300 parking spaces, height of the structure

being 25-28-feet with the domes being 50-FT. He states they are currently in a fund-raising campaign to raise the money and it will be at least three years before they would be requesting a building permit. With that said, we would agree to the three-year time frame with a one-year extension allowed. The curriculum is the same as Brebeuf Preparatory School as it is accredited by the State and must maintain the same amount of academic school days as Hamilton Southeastern, but they include a religious class and teach Arabic. Currently the third-grade class is one of the top classes in the United States in literacy and in the top 3% of all the schools in the United States. Many of the students go on to Ivy League Schools. At the beginning of this process, they met with the administration and economic development to discuss their proposal for a school at this site and were given the green light to proceed. Technical Advisory Committee review would be required for review of their civil plans including infrastructure, drainage, and access, etc.

Mrs. Rogers states at the Catholic High School during school times there is a police officer directing traffic.

Mr. Hellmann notes that at the time of Technical Advisory Committee filing they are required to amend the existing traffic study to include the school use.

Mr. Cooke asks why no street trees.

Ms. Yelton states because of the buffer yard requirements, Staff does not feel it necessary to require street trees. In the previous adopted ordinance, the landscaping buffers were the same and with the number of plants required in the landscape buffer, that sometimes negates the necessity for street trees.

Mr. Byers states there is plenty of greenspace including soccer and tennis fields, and a 5-acre lake.

Mr. Smith states he believes that traffic will be a nightmare and that the school may conflict with concerts and other sports activities in the area.

Mr. Hellmann states that the traffic cueing on site will be coordinated with the access points on Greenfield Avenue and Boden Road.

Motion by Mr. Smith seconded by Mr. Cooke to send a favorable recommendation for adoption to the City Council based on the Staff Report and presentations to allow for a school use including the following waivers:

1. Elimination of building base landscaping
2. Elimination of street trees
3. Reduction of the peripheral landscape buffer along the west, south, and east sides to 25-FtWidth

AYES: Smith, Cooke, Hellmann, Dr. Forgey, Rogers, Albregts-Cook, Boice, Sutton, Burtner, Wilcox **NAYS:** Hanes **ABSTAIN:** Zero **Motion carries 10, 1, 0**

Intentionally Left Blank

MISCELLANEOUS

There being no miscellaneous business, a motion was made for adjournment.

ADJOURNMENT

Meeting adjourned at 7:30 PM.

Malinda Wilcox

President

Caleb P. Gutshall

Secretary