



PLAN COMMISSION STAFF REPORT

ITEM NO: 2 & 2A APPLICATION NO. 0137-2022, 0138-2022

MEETING DATE: September 19, 2022

SUBJECT: Change of Zoning and Preliminary Development Plan

PETITIONER(S): MAB Capital Investments, LLC (Steve Ball – Owner Rep) and Edward Rose Properties, Inc. (Applicant – Steve Hornmann))

SUMMARY: Request for a change of land use and subdistrict overlay as a part of the Corporate Campus Planned Development District and the adoption of a preliminary development plan and ordinance

LOCATION: Southeast of Brooks School Road and South of E. 141st Street as

WAIVERS REQUESTED: Refer to ordinance and Staff Report

RECOMMENDATION: Approval

PREPARED BY: Joyceann Yelton, Development Services Manager
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Planning Terms

Change of Zoning – Any amendment to a zoning map and/or text of a zoning ordinance to effect a change in the nature of density or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Development Plan- A scale drawing, including a legal or site description, of the real estate involved which shows the location and size of the following, both existing and proposed: all buildings, structures, and yards; topographic map; location and dimension of building lines and easements; widths and lengths of all entrances and exits to and from said real estate; location of all adjacent or adjoining streets, service facilities; and other improvements such as planting areas.

Planned Development- A large-scaled unified development consisting of a parcel or parcels of land, controlled by a single owner and developed as a single entity. The area of land is then developed as a whole according to the adopted preliminary development plans and approved detailed plans with more flexible standards, such as lot sizes, uses, and setbacks than those restrictions that would normally apply to a specific zoning district.

Preliminary Development Plan - The initial development plans as proposed for a district overlay following approval by the Plan Commission and adoption by the Common Council of said drawings and Planned Development ordinance including any waivers from the underlying zoning district regulations and commitments by the developer for said real property.

Corporate Campus Planned Development District- The purpose of the Corporate Campus Planned Development District (CCPD) is to encourage economic development activity and high quality, well-integrated development both north and south of the 146th Street corridor, east of State Road 37 to Prairie Baptist Road and Atlantic Road, and north of the 1-69 interchange. This district is intended to provide for a broad range of uses, thus expanding employment opportunities in Noblesville and enhancing its tax base. Within this district are a number of subdistricts that represent various physical character areas. Although the CCPD District shall be developed in a unified and coordinated fashion, each of the subdistricts has tailored a purpose, use, bulk and site development standards reflective of its location, function, and desired appearance within the corporate campus park.

Waiver- A specific modification or lessening of the regulations of the Unified Development Ordinance granted by the Plan Commission and Common Council of said drawings and Planned Development (PD) ordinance including any waivers from the underlying zoning district regulations and commitments by the developer for said real property.

Condition – A restrictive or modifying factor that is essential to the occurrence of something else.

Stipulation - A condition, requirement, or item specified as a part of an agreement or ordinance.

Procedure

The application was filed on in June and is now proceeding through the public hearing at the September 19, 2002 Plan Commission Meeting. The proposed change of zoning and preliminary development plan/ordinance is discussed at a Plan Commission Meeting where a public hearing is held. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed amendment. The Plan Commission then makes a recommendation to the Common Council for either adoption, denial, or amends the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation. The Council then hears the proposals, including the Plan Commission's recommendations at two separate Council meetings. At the final Council meeting the change of zoning and/or preliminary development plan/ordinance is adopted, denied, or modified by the Council. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspaper and public hearing notices are sent to the surrounding property owners by certificate of mailing. Notices were sent to the surrounding property owners as required and publication in the newspapers.

Correspondence

Staff has not receive any inquiries on this application.

Summary

As you may recall, this particular owner/developer presented a concept plan to the Plan Commission within the past twelve months. As noted at the time of presentation, each individual development would be returning to the Plan Commission and Council for approval of their actual preliminary plans. This is the second in a series of developments to come before the Plan Commission and the Council.

The property is located south of 141st Street and southeast of Brooks School Road to be extended between Boden Road and Marilyn Road and west of Brooks School Road at the round-about. (Exhibit 1 – Aerial Photograph) The property is vacant/undeveloped and the developer is working towards the installation of infrastructure including pipes and roads in the Hyde Park overall area. The site contains approximately 25.6 acres. The Hyde Park Area is within the Corporate Campus Planned Development District (CCPD).

During 2000-2001, the City adopted what is known as the Corporate Campus Planned Development District of which more than 4,000 acres was assigned to a land use subdistrict and architectural

character overlays as a part of that zoning district of CCPD. Afterwards then came the 146th Street connection to Interstate 69 that opened an area for development on the eastern portion of the City of Noblesville.

In the immediate area to the east is the Saxony Corporate Campus Planned Development that includes commercial and residential uses; south is a portion of existing residential uses; west is part of the proposed Hyde Park Development; and north is a part of the Hyde Park Development known as "Towns & Flats at Hyde Park" and this development to be known as the "District at Hyde Park".

Summary – Change of Land Use Classification and Subdistrict Overlay

The applicant is requesting a change of the existing land use category of "Commercial" and "Office" with a subdistrict overlay of "Interchange" to a land use category of "Multi-Family Residential" with a character overlay of "Mixed Residential" for the southern portion of the 25 acres and "Commercial" with a subdistrict overlay of "Interchange". The residential area comprises approximately 15 acres with the remaining 10 acres being used for commercial. The current land use categories do not permit residential uses. In order for the Plan Commission to consider the use as residential both the land use category and subdistrict must be changed. This area will still remain with the Corporate Campus Planned Development District. (Exhibit 2 – Commerical/Residential Area map)

Summary – Preliminary Development Plan and Ordinance

The applicants are proposed to develop the 25.6 acres with maximum of 310 up-scale midrise multi-family units. Note that the maximum density permitted for this type of development is between 14-20 units per acre. Proposal includes multi-family units consisting of 1, 2, and 3 bedrooms to be developed by Edward Rose Properties. The commercial area will not be developed by Edward Rose Properties. Access to the site will be from Brooks School Road with two ingress/egress points. Some of the features in this development include remote work hubs and huddle spaces within the clubhouse, a performance gym, a pool, pool deck, cabanas, aqua lounge and outdoor gathering spaces. (Exhibit 3 – Preliminary Development Plan)

Waivers being sought include:

Commercial Area

1. Reduction in the minimum out lot area to .25 of an acre (Minimum UDO 1 Acre)
2. Reduction of minimum lot width to 80-FT (Minimum UDO 200-FT)
3. Maximum building height – 50 FT (35-FT in UDO)
4. Minimum internal setback from adjacent residential use 20-FT between buildings
5. Minimum setback from Brooks School Road 45-FT buildings (50-FT required in UDO)
6. Minimum parking lot setback 15-FT (20-FT required in UDO)

Residential Area

1. Minimum lot area 2,200-SF (UDO minimum 3,000-SF)
2. Minimum lot width 75-FT (UDO requires 150-FT)
3. Maximum building height 55 -FT (UDO maximum 45-FT)
4. Removal of the maximum permitted floor area ratio per unit
5. Removal of the maximum lot coverage requirements
6. Reduction in the landscaping requirements to meet what is indicated on the preliminary development plan.
7. Elimination of pitched roofs

Overall Plan

1. Reduction in the peripheral buffer yard as per the submitted preliminary development plan
2. Reduction in the parking size project at a 90-degree parking stall to a length of 18-FT.
3. Reduction of landscaping areas including building base, parking lot, and peripheral buffer yard to the adopted preliminary development plan including numbers and locations.

Architectural Review Board

The ARB review the elevations submitted for the Edward Rose residential buildings. (Reference page 14 of the Proposed Planned Development Ordinance)

History

2000-2001

Adopted the Corporate Campus Planned Development District

(Exhibit 4 – Proposed Planned Development Ordinance)

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Analysis Table

Item	Description	Analysis
<i>Surrounding Land Uses</i>	<i>North – Hyde Park Mixed Use Development</i> <i>South – Existing residential uses</i> <i>East – Saxony Corporate Campus (Commercial, Office)</i> <i>West – Hyde Park Mixed Use Development</i>	<i>The surrounding land uses include scatter site residential along E. 136th Street, with the remainder being commercial/office and undeveloped.</i>
<i>Comprehensive Master Plan and Future Land Use</i>	<i>Commercial – Regional Highway</i>	<i>This is a commercial area that serves a greater geographic area and caters to large box stores. These areas are typically located along major intersections and within proximity to interstate exits through frontage roads.</i>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>Brooks School Road (Primary Arterial)</i>	<i>A major road that is a traffic movement corridor that is indicative of interstate travel or connects major population centers and serves major center of activity with the highest traffic volumes.</i>
<i>Environmental and Utility Considerations</i>		<i>None know at the time of this writing.</i>
<i>TAC Comments</i>		<i>Preliminary Review</i>

Attachments

Exhibit 1	Aerial Photograph
Exhibit 2	Commercial Residential Allocation Map
Exhibit 3	Preliminary Development Plan
Exhibit 4	Proposed Planned Development Ordinance

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Recommendation

Staff believes that providing additional residential in the area will help to foster “work-live-Play” concept themes as existing in the immediate area are the Saxony Corporate Campus and the Hamilton Town Center that provide much commercial/retail uses to the area.

Rezoning Motions

1. Motion to approve the requested Change of Land Use Category from “Commercial” with a subdistrict overlay of “Interchange” to a land use category of “Multi-Family Residential” with a character overlay of “Mixed Residential” specifically as those areas are depicted on Exhibit 2 – Commercial Residential Allocation Map as per the public hearing and Application No. 0137-2022.

2. Motion to deny the Change of Land Use Category and Subdistrict Overlay as requested per Application No. 0137-2022 and forward a do not adopt recommendation to the City Council.
(LIST REASONS)

3. Motion to continue Application No. 0137-2022 until the October 24, 2022 meeting.

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Planned Development Motions

1. Motion to approve the requested Preliminary Development and Ordinance approval for 25.6 acres to be known as the "District at Hyde Park" for a "Multi-Family" land use and Subdistrict Overlay of "Mixed Residential" and "Commercial" land use with an overlay of "Interchange" as per the Staff Report for Application No. 0138- 2022 and the public hearing and forward a favorable recommendation for adoption to the City Council with the following Waivers and Stipulations:

Waivers

Commercial Area

- a. Reduction in the minimum out lot area to .25 of an acre (Minimum UDO 1 Acre)
- b. Reduction of minimum lot width to 80-FT (Minimum UDO 200-FT)
- c. Maximum building height – 50 FT (35-FT in UDO)
- d. Minimum internal setback from adjacent residential use 20-FT between buildings
- e. Minimum setback from Brooks School Road 45-FT buildings (50-FT required in UDO)
- f. Minimum parking lot setback 15-FT (20-FT required in UDO)

Residential Area

- g. Minimum lot area 2,200-SF (UDO minimum 3,000-SF)
- h. Minimum lot width 75-FT (UDO requires 150-FT)
- i. Maximum building height 55 –FT (UDO maximum 45-FT)
- j. Removal of the maximum permitted floor area ratio per unit
- k. Removal of the maximum lot coverage requirements
- l. Reduction in the landscaping requirements to meet what is indicated on the preliminary development plan.
- m. Elimination of pitched roofs

Overall Plan

- n. Reduction in the peripheral buffer yard as per the submitted preliminary development plan
- o. Reduction in the parking size project at a 90-degree parking stall to a length of 18-FT.
- p. Reduction of landscaping areas including building base, parking lot, and peripheral buffer yard to the adopted preliminary development plan including numbers and locations.

Stipulations

1. Any proposed signage would be approved through a Program of Signs by the Plan Commission
2. Developer shall amend the preliminary development plan to include acceleration and deceleration lanes at both entrances

2. Motion to deny the request for the adoption of a preliminary development plan and ordinance for Application No. 0138-2022 and forward a do not adopt recommendation to the City Council. (LIST REASONS)

3. Motion to continue Application No. 0138-2022 until the October 24, 2022 meeting.