

Agenda Item #1

Case Number	BZNA-0078-2019	Property Size	5.00 AC
Address	15720 Hazel Dell Road	Zoning	SR (Suburban residenital)
Owner	Striker Property Group, LLC	Reviewer	Oksana Polhuy
Applicant	Steven Ramos (THINK Holdings, LLC)	BZA Meeting	July 1, 2019

Requested Action:

UDO § 8.B.1.B, Appendix C Variance of Use to permit an early learning center in a Suburban Residential zoning district.

Recommendation:

Approve. See Findings of Facts for Approval on page 4 and Conditions of Approval on page 5.

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11. Letter from the Engineering Department
12. Remonstrance Letters



ANALYSIS

The subject site is located on the east side of Hazel Dell Road, about 150 feet north of 156th street and 0.4 miles south of 161st street. It is a vacant parcel inside of the city limits surrounded by the residential uses on all sides (Exhibits 2 & 3). The applicant proposes to build a child care center, a use usually permitted in the commercial zoning districts, but not in the Suburban Residential zoning district that the subject site is in. Due to that, the applicant is requesting a land use variance pursuant to UDO §8.B.1.B and Appendix C to permit a child care center in Suburban Residential zoning district.

The applicant is a franchisee of LeafSpring school and already has one location in Hamilton County in Fishers, IN (Exhibit 9). The proposal for the subject site includes a 22,000-sf building and a playground at the back of the building (Exhibit 5). The center would be open 6:30 am through 6:30 pm, Mondays through Fridays, hosting children of ages ranging from 16 weeks to 11 years old. It has capacity for up to 337 children, but is planned for about 280-290 children. The outside look features mostly dark brown-red brick and white siding accents on gables (Exhibit 6 and 9).

One of the land use goals in the Comprehensive Plan is to encourage development that focuses on providing efficient services to the residential development that reflect surrounding residential character and intensity. The quadrant of Noblesville planning jurisdiction to the south of State Road 32 and west of Allisonville Road doesn't have any licensed child care centers (Exhibit 10). However, in the past fifteen years, the area around the subject site has seen a significant increase in high density single family developments that added more than 2,000 lots (e.g. Twin Oaks, West and East Haven at Noble West, Lake Forest, Essex, Lochaven of Noblesville) and more to be developed (e.g., Wood Hollow, Reserve at Woodside). Providing a daycare in an area that is saturated with families can provide an efficient service to the families in the surrounding community seeking a daycare nearby.

Other child care centers in Noblesville are typically built in residential and commercial zoning districts and are surrounded by the residential uses (Exhibit 10). Due to that, the location of the proposed child care center surrounded by the residential uses is a common appropriate land development pattern. It can serve as a buffer between an arterial Hazel Dell Road and residential development (e.g., Twin Oaks).

The proposed child care center would be the biggest in size and capacity in Noblesville (Table 1). At the same time, it is on a property that is twice bigger than the biggest child care center properties in Noblesville, allowing to fit the development and provide enough land for landscape buffers to integrate the development into the community and provide a noise barrier. Currently, most lots along Hazel Dell around the subject lot are low density single family with a lot of greenery along the road (Exhibit 8). The proposed development features a required 40-ft-wide landscape buffer between Hazel Dell Road and the parking lot (Exhibit 5). It would also be required to provide landscaping islands in the parking lot and landscaping around the building base per Article 12 regulations during the permit review stage.

Exhibit 1

Table 1. Child Care Centers in Noblesville. Comparison of lot size, building size, and capacity.

School Name	Lot area, ac	Building size, sf	# of Children
<i>Proposed (LeafSpring)</i>	5.0	22,000	280-330
ABCs & 123's, Westfield Rd	2.5	12,300	207
Hamilton County Head Start	2.0	12,000	186
Primrose School of Noblesville	1.8	11,500	183
Kinder Care Learning Center	2.2	8,200	127
ABCs & 123's, Greenfield Ave	1.1	8,000	147
Creative Campus Child Care	2.9	7,500	116
Stony Creek Early Learning Center	1.3	7,300	162
Pebble Brook Play School	1.0	6,700	148

All properties going through a land use variance adjacent to residential uses are required to provide a minimum 15-ft-wide landscape buffer around the perimeter between the property and the residential use per UDO §Table 12.0.7.E. Such buffer is featured on the proposed site plan. The staff proposes additional landscaping requirements on top of what the ordinance would require as conditions of approving the variance to ensure that there is a visual buffer all year round and that the playground noise is lowered.

If it was a commercial property surrounded by the residential uses, the minimum required side setback would vary between 10-25 feet and the rear setback would be 20 feet. The current site plan shows the building at least 30 feet of the north property line, 75 feet of the rear property line, and 340 feet of the south property line. The currently proposed distances meet the most restrictive minimum setback requirements. However, due to the low density character of houses along Hazel Dell Road, it would be beneficial to shift the building a little bit to the south to create more space between the structures to maintain the low density feel. A condition to approval proposes a minimum side setback of 50 feet for the building only. Other improvements like parking and playground would need to meet the setbacks per UDO regulations.

The site plan shows proposed road improvements to route the traffic per requirement from the engineering department: a median on Hazel Dell changed into a southbound left turn and a deceleration and acceleration lanes (Exhibit 5). Adding the deceleration and acceleration lanes would require shifting the sidewalks, but the sidewalks would remain. The existing driveway cut at the subject site was installed by the city as part of the right-of-way acquisition and Hazel Dell Road redevelopment 10-12 years ago, and is a preferred driveway location. The Engineering Department provided additional comments (Exhibit 11) regarding concerns expressed in the Remonstrance Letters (Exhibit 12) about the traffic routing and parking.

VARIANCE OF USE FINDINGS

AGENDA ITEM #1:

If the Board should decide to APPROVE the requested variance, please use the following findings of fact:

The Noblesville Board of Zoning Appeals is authorized to approve or deny variances of use from the terms of the zoning ordinance. **The BZA may impose reasonable conditions as part of its approval. A Variance of Use may be approved only upon a determination in writing that the following five (5) conditions are met (see Indiana Code § 36-7-4-918.4):**

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community:

It is likely that this variance will NOT be injurious to the public health, safety, morals, and general welfare of the community. The child care use is an appropriate use often found adjacent to the residential developments. Like an elementary school nearby, it is a benefit to the general welfare by providing a necessary service to the community. The proposed landscaping and the additional landscaping requirements in the conditions will create a visual and noise buffer between the surrounding residential areas and the development. The proposed improvement to the road will ensure safe traffic flow in the area. Due to the wider time range for drop off and pick up times in daycares as opposed to schools, the traffic will be more spread out.

2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:

It is likely that the use and value of real estate adjacent to the subject site will NOT be affected in a substantially adverse manner by allowing the requested variance. Nearby property owners may remonstrate against this petition if they believe this request will have significant adverse effects on adjacent properties. Should nothing contrary be brought to light by adjacent owners at the public hearing, it is presumed that the approval of this variance request will not have a substantially adverse effect on the use and value of adjacent properties.

3. The need for the variance arises from some condition peculiar to the property involved:

The need for the variance does arise from a condition peculiar to the property involved. The property is located in a quadrant of Noblesville that doesn't have any child care centers, but has a high concentration of rapidly growing residential communities that need a child care service. The lot is located on a 4-lane arterial road and a mile away from 146th street, making it an easy site to reach. Also, the lot size is much bigger than the typical lot size for child care centers allowing not only to fit the development, but also to have wider setbacks, preserve some nature and provide maintained landscape buffer around the entire perimeter of the lot. Thus, lot's location can meet a demand for a child care center, while the lot size has enough space to fit the development in a way that integrates it well into the residential area.

4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought:

The strict application of the terms of the zoning ordinance WILL result in practical difficulties in the use of the property. A single-family residential development exiting onto the arterial road may be a less desirable development at this point from buyer's perspective. The high density single family and multi-family development around Hazel Dell Road and around the

subject property in the recent years have been changing the character of the area from low density residential, associated with Suburban Residential zoning district, to a higher density residential development, while the zoning of this lot remained suburban residential. The uses permitted at this site should reflect the changing fabric and density of the surrounding areas in the past years. Additionally, such public services as police stations and post offices are permitted in this zoning district by right. However, a daycare service may be a better fit here.

5. The approval does not interfere substantially with the comprehensive plan adopted by the Noblesville Plan Commission and Council:

The approval does not interfere substantially with the comprehensive plan. Child care is a common use placed in the residential areas. The land use goal in Comprehensive Plan is to provide efficient services to the residential communities while maintaining the character and density of the surrounding residential communities. The residential community has been rapidly growing around the subject site making it a great site for a service that the residents can benefit from. At the same time, the proposed building's architecture and location on site fits into the density pattern along Hazel Dell Road.

RECOMMENDATIONS

AGENDA ITEM #1:

APPROVE the requested Variance of Use based upon the following findings of fact:

- The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
- The use and value to the area adjacent to the property will not be affected in a substantially adverse manner;
- The need for the variance does arise from some condition peculiar to the property involved;
- The strict zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought;
- The approval does not interfere substantially with the comprehensive plan adopted by the Noblesville Plan Commission and Council.

With the following specific conditions:

1. A minimum side and rear setback for the building shall be 50 feet.
2. A minimum width of a landscape buffer around the playground area shall be 30 feet and it shall follow the minimum number of trees and shrubs requirement specified in UDO § Table 12.0.7.E for "GB, PB, LB, VC Adjacent to or abutting a residential use/zone". The trees and shrubs shall be evergreen species.
3. 50 percent of the required number of trees in the 40-ft-wide landscape buffer along Hazel Dell Road shall be evergreen trees.
4. The Applicant shall sign the Acknowledgement of Variance document prepared by the Planning and Development Department Staff within 60 days of this approval. Staff will then record this document against the property and a file stamped copy of such recorded document shall be available in the Department of Planning and Development.

Exhibit 1

5. Any alterations to the approved building plan or site plan, other than those required by the Board of Zoning Appeals (BZA), shall be submitted to the Planning and Development Department prior to the alterations being made, and if necessary, a BZA hearing shall be held to review such changes.

EXHIBIT 2. PARCEL MAP

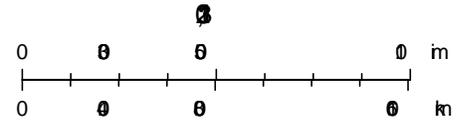
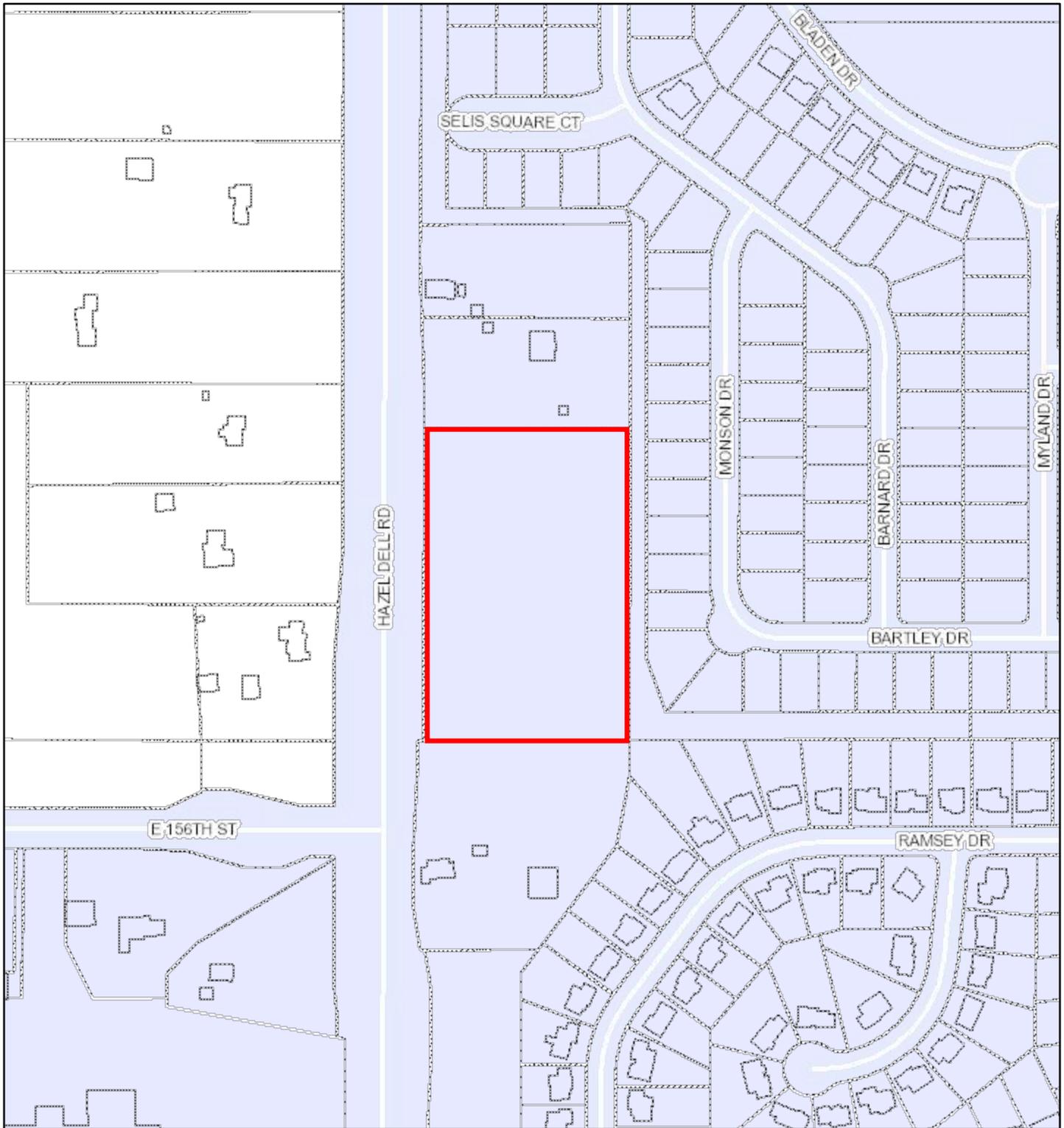


EXHIBIT 3. AERIAL MAP



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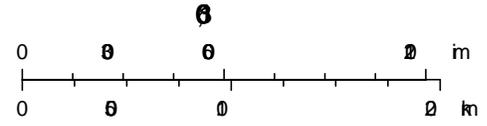


EXHIBIT 4. APPLICATION

CITY OF NOBLESVILLE ♦ VARIANCE OF USE APPLICATION



CITY OF NOBLESVILLE BOARD OF ZONING APPEALS VARIANCE OF USE APPLICATION

Application Number: BZNA-0078-2019

The undersigned requests a Variance of Use as specified below. Should this variance request be approved, such approval shall only authorize the particular use described in this application and as further limited by reasonable conditions imposed upon such approval by the Board of Zoning Appeals.

Project Name or Occupant Name: Leafspring School

Common Address 15688 Hazel Dell Road, Noblesville, IN

Applicant Name: THINK Holdings, LLC

Applicant Address: 10243 Port View Lane

Applicant City/State/Zip: McCordsville, IN 46055 E-mail: sramos@leafspringindy.com

Applicant Phone #1: 317-213-8156 Phone #2: 317-401-3800 Fax: N/A

Owner Name: Striker Property Group, LLC

Owner Address: 13867 Smokey Ridge Drive

Owner City/State/Zip: Carmel, IN 46033 E-mail: dan@strikerrealtygroup.com

Owner Phone #1: 317-694-7520 Phone #2: N/A Fax: N/A

Property Location: Not located in a recorded subdivision, see legal description attached.

Subdivision Name: N/A

Subdivision Section: N/A Lot Number: N/A Last Deed of Record Number 2017052803

Existing Land Use: Vacant

Use variance to permit:
Common Description of Request: Early Learning Center, Offices; and Medical Offices

Zoning District of Property: SR Code Section(s) Appealed: UDO § Article 8, Part B, Section 1(B)

Date: 5/28/19

Applicant's Signature:

The Noblesville Board of Zoning Appeals (BZA) is authorized to approve or deny Variances of Use from the terms of the Unified Development Ordinance. The BZA may impose reasonable conditions as part of its approval. A Variance of Use may be approved only upon a determination in writing that the following five (5) statements are true (see Indiana Code § 36-7-4-918.4):

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community. Explain why this statement is true in this case:
The proposed uses will be complimentary to the community.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner by the approval of this variance request. Explain why this statement is true in this case:
The proposed uses will be complimentary to the community.
3. The need for the proposed variance arises from some condition peculiar to the property involved. Explain why this statement is true in this case:
The current zoning for the property is residential (SR), and thus a variance is needed to allow for the proposed uses.
4. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which this variance is sought. Explain why this statement is true in this case:
The proposed uses would not be possible without the variance.

[See following page]

5. The approval of this variance does not interfere substantially with the provisions of the Comprehensive Master Plan for the City of Noblesville, Indiana. Explain why this statement is true in this case:

The proposed uses will be complimentary to the community.

PROPERTY OWNER CONSENT FORM

The undersigned, Striker Property Group LLC, being the owner of the real estate generally described as the 5 +/- acres more particularly described as Parcel No. 10-10-10-00-00-022.001 (the "Real Estate"), hereby authorizes Think Holdings, LLC, and Faegre Baker Daniels LLP to file all necessary petitions, applications, and supporting materials for the Real Estate with the City of Noblesville, Hamilton County, Indiana, and/or any other relevant government entity to annex and/or develop the Real Estate.

[Handwritten Signature]

By: _____
Property Owner Signature

Striker Property Group, LLC

Dan J Toole / Striker Property Group, LLC

Property Owner (printed)

Agent

Property Owner Title

5/28/19

Date

By: _____
Property Owner Signature

Property Owner (printed)

Property Owner Title

Date

Stacia L O'Toole
SIGNATURE OF NOTARY PUBLIC

State of Indiana, County of Hamilton, SS:

Subscribed and Sworn before me this 28 day of May, 2019.

Printed Name of Notary Public *Stacie L O'Toole*

My Commission Expires 27 April, 2025.
swaf01.123238656.1.DOCX



NKC

DULY ENTERED FOR TAXATION
Subject to final acceptance of transfer
24th day of October 2017 - ALC
Robin M. Miller Auditor of Hamilton County
Parcel # 10-10-10-00-022.001

2017052803 WD \$25.00
10/25/2017 10:19:34AM 3 PGS
Jennifer Hayden
Hamilton County Recorder IN
Recorded as Presented


Warranty Deed

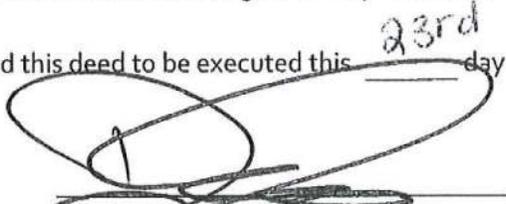
This Indenture Witnesseth, that Dan O'Toole ("Grantor") CONVEY(S) AND WARRANT(S) to Striker Property Group LLC ("Grantee") of Hamilton County, in the State of Indiana, FOR NO CONSIDERATION, the following real estate in Hamilton County, State of Indiana, commonly known as o Hazel Dell Road, Noblesville, IN 46062, and more particularly described as:

See attached Exhibit "A"

Subject to taxes for 2017 payable 2018, now a lien, not yet due and payable.

Subject to covenants, agreements, easements, restrictions and all rights of way of record.

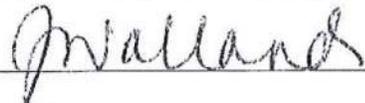
In Witness Whereof, Grantor has caused this deed to be executed this 23rd day of October, 2017.


Dan O'Toole

STATE OF INDIANA)
COUNTY OF Hamilton

Before me, a Notary Public in and for said County and State, personally appeared Dan O'Toole, who acknowledged the execution of the foregoing Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 23rd day of October, 2017.

Signature: , Notary Public
Printed: _____

My Commission Expires:
My County Of Residence is:
IN1707318

JENNIFER JO WALLANDER
Notary Public - Seal
State of Indiana
Marion County
My Commission Expires May 13, 2021

**EXEMPT FROM
SALES DISCLOSURES**

BEG

Prepared by and return deed to:
Jennifer J. Wallander, Esq.
Hamilton National Title LLC, 865 W. Carmel Drive, Suite 110, Carmel, IN 46032

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, Jennifer J. Wallander.

Grantee mailing address and please send tax statements/notices to:

13867 Smokey Ridge Dr.
Carmel, IN 46033

EXHIBIT "A"

Tract 1: (fee parcel)

Part of the Southwest Quarter of Section 10, Township 18 North, Range 4 East, located in Noblesville Township, Hamilton County, Indiana, being bounded as follows:

Beginning at the Southwest corner of the Southwest Quarter of Section 10, Township 18 North, Range 4 East; thence North 00 degrees 49 minutes 19 seconds East (assumed bearing) along the West line of said Southwest Quarter a distance of 572.00 feet to the Southwest corner of property to Dishon, recorded as Instrument Number 200500006575, in the Office of the Recorder of Hamilton County, Indiana; thence South 89 degrees 29 minutes 52 seconds East along the South line thereof a distance of 457.08 feet to the East line of property to Fazekas as described in Instrument Number 200029853; thence South 00 degrees 49 minutes 19 seconds West along the East line thereof a distance of 572.00 feet to the South line of said Southwest Quarter; thence North 89 degrees 29 minutes 19 seconds West along the South line thereof a distance of 457.08 feet to the POINT OF BEGINNING, containing 6.0 acres, more or less. **EXCEPTING THEREFROM** part of the Southwest Quarter of Section 10, Township 18 North, Range 4 East, Hamilton County, Indiana, conveyed to the City of Noblesville, Indiana, by Final Order of Judgment recorded August 30, 2007, in the Office of the Recorder of Hamilton County, Indiana, described as follows:

Beginning at the Southwest corner of said quarter section; thence North 0 degrees 05 minutes 52 seconds East 572.00 feet along the West line of said quarter section to the Southwest corner of a tract of land conveyed by a Warranty Deed recorded as Instrument Number 200500006575, in the Office of the Recorder of Hamilton County, Indiana; thence North 89 degrees 49 minutes 20 seconds East 75.00 feet along the South line of said tract of land; thence South 0 degrees 05 minutes 52 seconds West 572.00 feet to the South line of said quarter; thence South 89 degrees 49 minutes 28 seconds West 75.00 feet along said South line to the Point of Beginning and containing 0.985 acres, more or less.

Parcel No.: 29-10-10-000-022.001-013

Samuel E. Swafford
Associate
samuel.swafford@FaegreBD.com
Direct +1 317 569 4879

Faegre Baker Daniels LLP
600 East 96th Street ▾ Suite 600
Indianapolis ▾ Indiana 46240-3789
Main +1 317 569 9600
Fax +1 317 569 4800

June 21, 2019

Re: Use Variance Request for LeafSpring Early Learning Center

Dear BZA Members:

On behalf of LeafSpring Early Learning Center (“LeafSpring”), we respectfully request a land use variance to permit LeafSpring’s proposed Early Learning Center (the “School”) on the 5 +/- acres located generally at 15720 Hazel Dell Road, Noblesville, Indiana 46062 (the “Real Estate”) (please see the enclosed aerial location maps).

LeafSpring School is a premier early learning education program receiving the highest honors and accreditations from the State of Indiana (Paths to Quality Level 4) and the highest national ranking accreditation through AdvancED. LeafSpring School at Geist opened in January 2017. The Geist school is located at 10408 Olio Road in Fishers, Indiana (<https://geist.leafspringschool.com/>).

As with the Geist location, the Noblesville LeafSpring School will serve children from ages 6 weeks to 11 years of age. The structure is segmented into three areas called Early Learning, the Village and the Get Well Place. Early Learning hosts early childhood learners from 6 weeks to 5 years of age. The Village hosts before/after/summer school age children. The Village interior looks like an actual village complete with Café, Theater, Apothecary, Library, STEM Research Center and a gymnasium. The Get Well Place has a pediatric nurse on staff and provides for the opportunity for families to have a mildly ill child cared for while the parents work.

Attached please find the concept plan and building elevations for the School. The residential-style School building will be all brick with a pitched roof to fit within the surrounding residential area. Much like the nearby elementary school, the proposed site is attractive for the School because the School prefers to locate near the families and children whom they serve. The School is a low-impact use and is not open during the evenings or weekends (the School will be open 6:30 am to 6:30 pm, Monday through Friday).

Upon the advice of the City of Noblesville’s Engineering Department, LeafSpring has agreed to make the following road improvements: (i) a left turn lane on Hazel Dell Road to allow traffic traveling south on Hazel Dell Road to turn left into the Real Estate; (ii) a deceleration lane at the entrance of the Real Estate to assist traffic entering the Real Estate from the south; and (iii) an acceleration lane at the entrance of the Real Estate assist traffic in exiting the Real Estate to travel north. The plan also will include approximately 113 parking spaces and an on-site circulation plan.

Finally, the School will include a landscape plan along the perimeter of the Real Estate.

Thank you for your consideration.

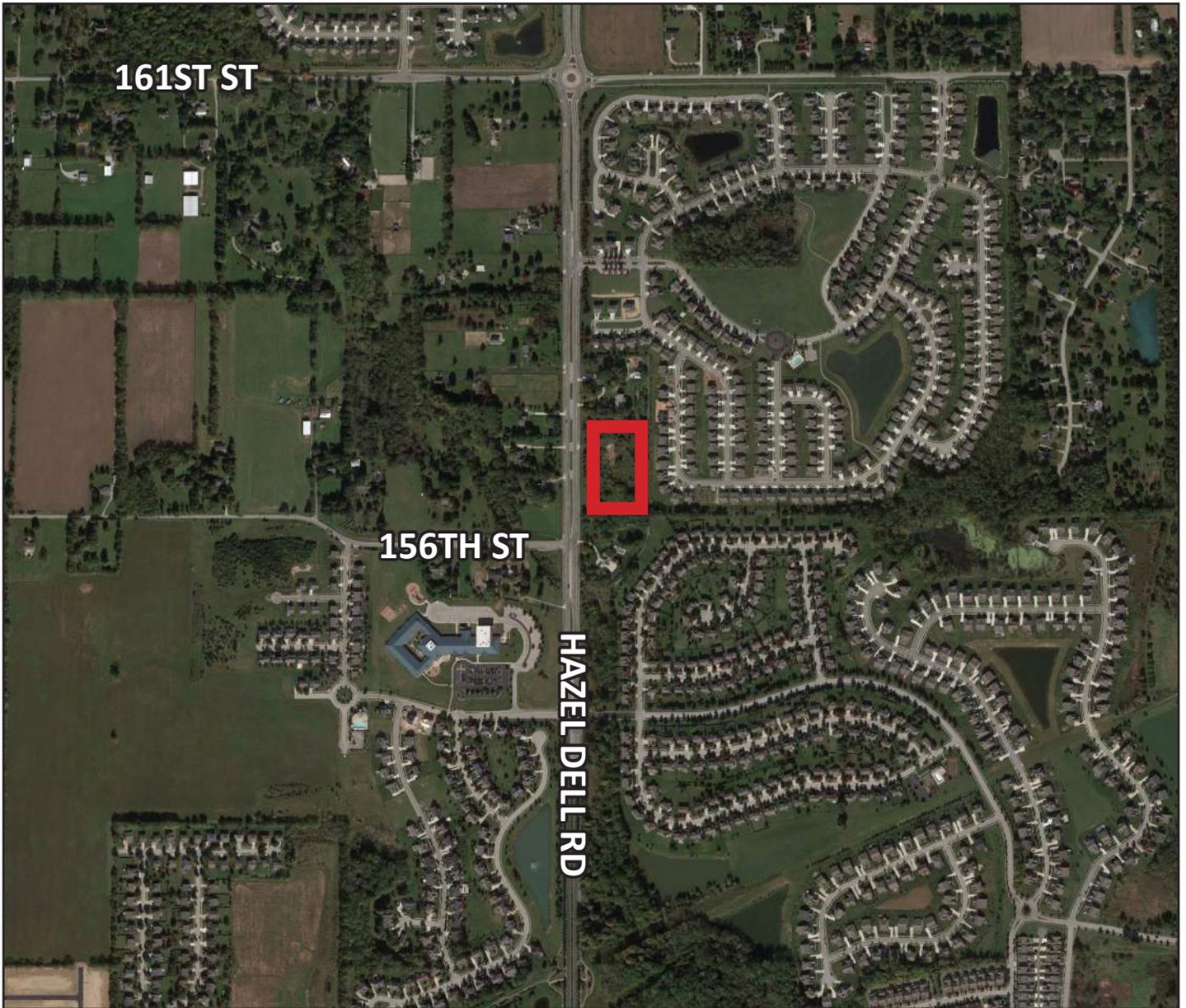
Sincerely,

A handwritten signature in black ink, appearing to read "S. Swafford". The signature is written in a cursive style with a large initial "S" and a distinct "Swafford" following.

Samuel E. Swafford

AERIAL LOCATION MAP

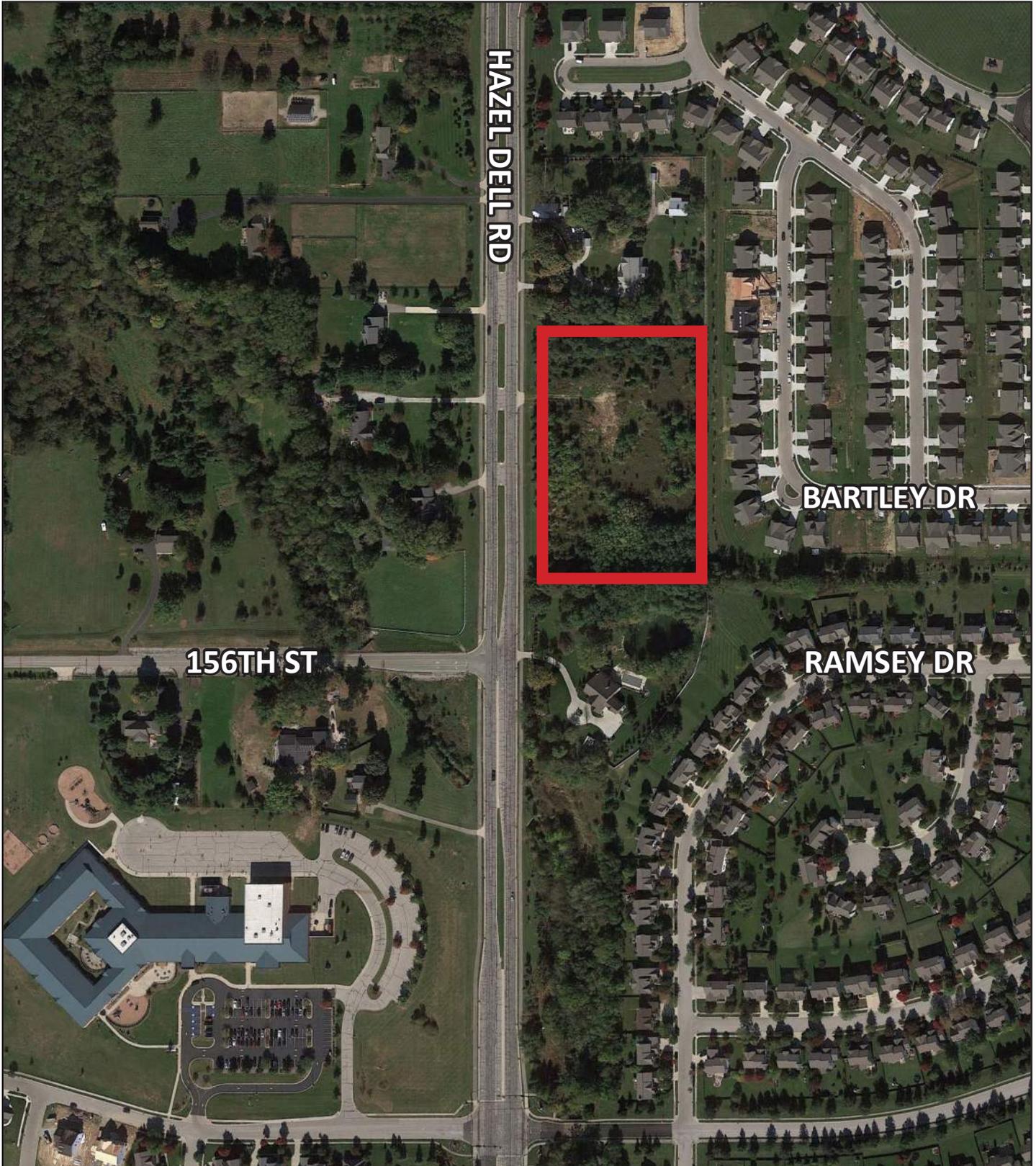
LEAFSPRING EARLY LEARNING CENTER



REAL ESTATE

AERIAL LOCATION MAP

LEAFSPRING EARLY LEARNING CENTER



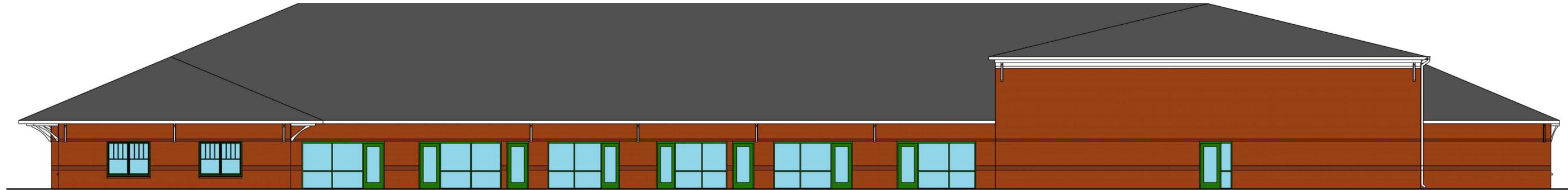
REAL ESTATE



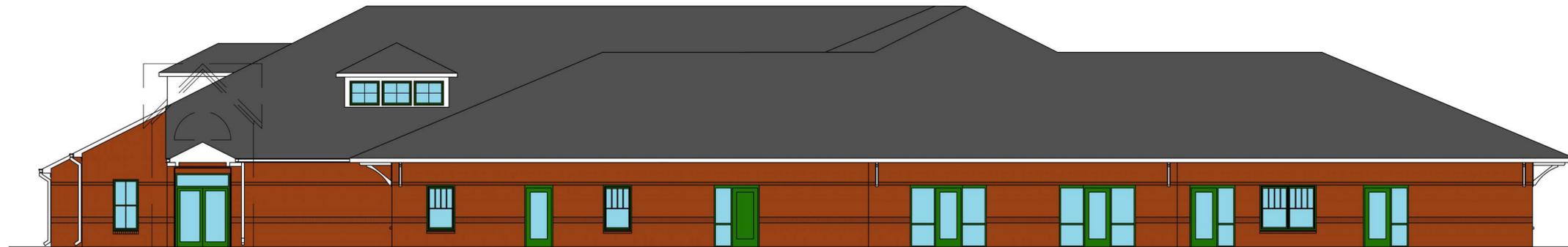
EXHIBIT 5. ELEVATIONS



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION



WEST ELEVATION (HAZEL DELL ROAD)

EXHIBIT 7. SITE PICTURES





Looking northeast from the middle of the property.



Twin Oaks Subdivision

Looking east from the middle of the property.

EXHIBIT 8. NEIGHBORHOOD PICTURES





Houses to the north of the subject site.



Houses to the north of the subject site.



House to the south of the subject site.



Looking northwest along Hazel Dell Road from the southwest corner of the property.



Looking southwest along Hazel Dell Road from the northwest corner of the property.



Noble Crossing Elementary School

Intersection of Hazel Dell Rd and 156th Street to the south of subject site.

EXHIBIT 9. LEAFSPRING IN FISHERS PICTURES



Playground at the back
of the center.

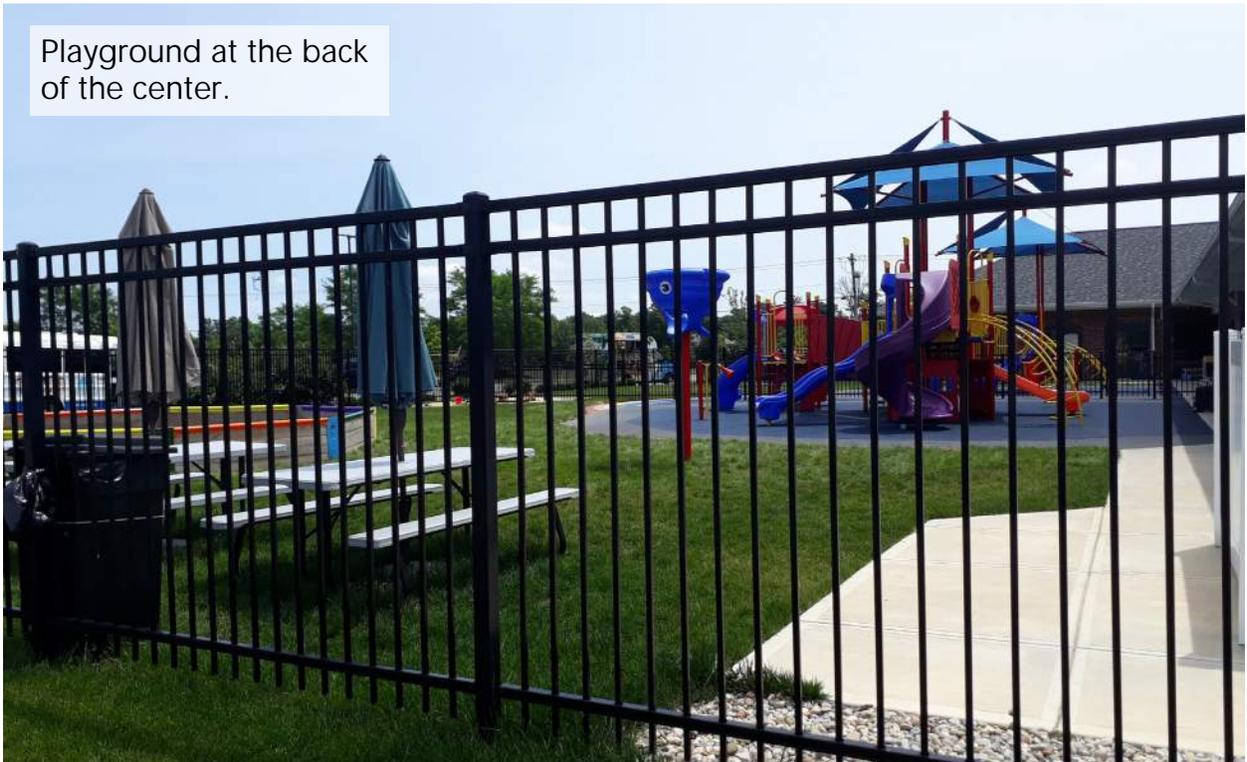


EXHIBIT 10. LOCATION OF CHILD CARE CENTERS In Noblesville Planning Jurisdiction

Child Care Centers



Primrose School of Noblesville, 15707 N Pointe Blvd



Hamilton County Head Start Center, 17645 Oakmont Dr



ABC's & 123's Learning Center



ABC's & 123's Learning Center



Stony Creek Early Learning Center



Noblesville Kindercare



Pebble Brook PreSchool



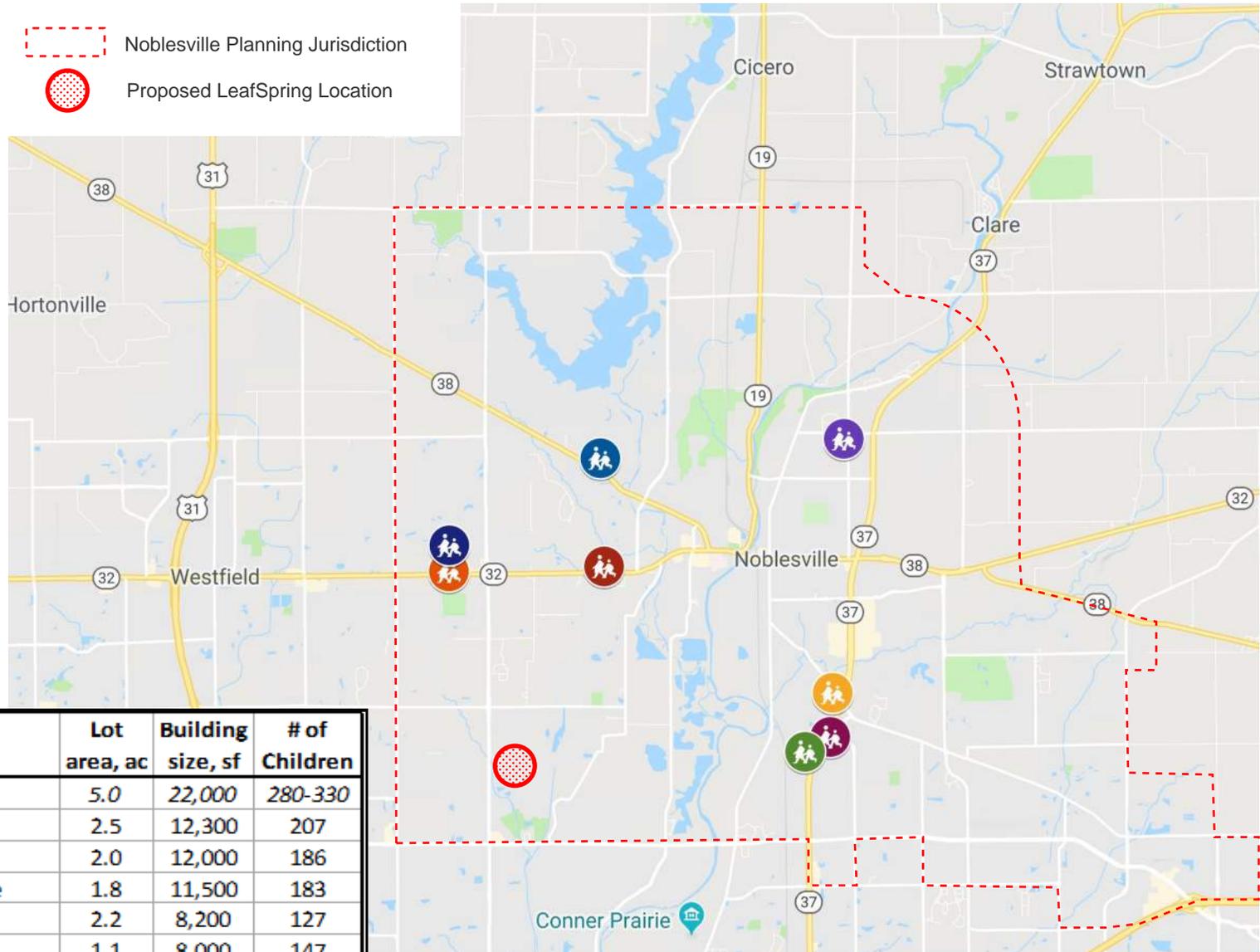
Creative Campus Child Care



Noblesville Planning Jurisdiction



Proposed LeafSpring Location



School Name	Lot area, ac	Building size, sf	# of Children
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Creative Campus Child Care	2.9	7,500	116
Stony Creek Early Learning Center	1.3	7,300	162
Pebble Brook Play School	1.0	6,700	148

SURROUNDING USES OF CHILD CARE CENTERS IN NOBLESVILLE



Kinder Care Learning Center



Hamilton County Head Start



Stony Creek Early Learning Center

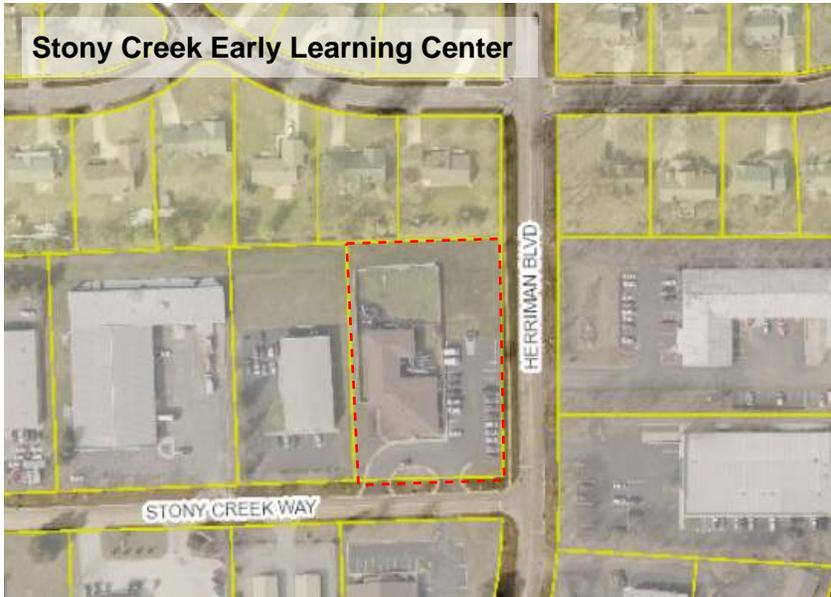


EXHIBIT 11. LETTER FROM THE ENGINEERING DEPARTMENT



July 24, 2019

Noblesville Board of Zoning Appeals
16 S. 10 Street
Noblesville, IN 46060

RE: BZNA-0078-2019 – 15720 Hazel Dell Road
Early Learning Center (Leaf Spring)

Site is adjacent to and gains vehicular access from Hazel Dell Road. Hazel Dell Road was built as a four lane roadway approximately ten (10) years ago to accommodate future development along the corridor and adjacent area. A traffic study for this project was not required since the roadway was already built out as four lanes and there are no existing traffic capacity issues.

The applicant's site plan shows the following concerns expressed by the Engineering Department addressed as follows.

1. Site plan includes a left hand turn lane to accommodate southbound Hazel Dell Road.
2. Site plan includes an acceleration and deceleration lane for northbound Hazel Dell.
3. Parking: Site is parked at a ratio better than 1 parking space per 200 square feet for a total of 113 parking spaces for a 22,000 square feet building. I am not aware of any known parking issues with this parking ratio. We have seen parking issues at previously approved Early Learning Centers with 1 parking space per 350 square feet.
4. Circulation/Queuing for Child drop-off/pick-up: Site plan's parking configuration provide a queuing line over 600 feet long so that cars can stack internally in the site and not back up onto Hazel Dell Road. Drop off and pick up can also be accomplished by parking in spaces and the guardian walk the child into the building.

Engineering staff has expressed to the applicant, and their team, that Early Learning Centers are typically known to have large attended events on holidays, mother's day, father's day and similar that can exceed the standard parking requirements. Applicant will not be able to park on Hazel Dell Road, the adjacent trail, or similar and shall make accommodations on these events. A recommendation of approval is that the operator shall limit the size and/or attendance to fit the available parking requirements and/or provide accommodations for off-site parking. Size could be limited by having different age groups at different times, or similar.

I would concur with the favorable recommendation of approval with the condition of limiting the special events size to fit within their parking lot.

Sincerely,
CITY OF NOBLESVILLE

Jim Hellmann, PE, Assistant City Engineer
Ph: (317) 776-6330, jhellmann@noblesville.in.us

Enclosures: Site Plan dated 7/15/2019 provided by Bill Butz of Kimley-Horn, site civil engineer

S:\@Active Commercial\Future Commercial Projects\Leaf Spring Day Care (Ramos)\100\ltr 2019-07-24 eng-BZA LeafSpring Hazel Dell.docx

Screenshot of drawings dated 7/15/2019.



PARKING SUMMARY	
DAYCARE PARKING SPACES REQ'D (1/200)	= 110 SPACES
PARKING SPACES PROVIDED	= 113 SPACES
ACCESSIBLE PARKING SPACES REQUIRED	= 4 SPACES
ACCESSIBLE PARKING SPACES PROVIDED	= 4 SPACES

Exhibit 12. Remonstrance Letters

July 25, 2019

To Noblesville Board of Zoning Appeals
Case BNZA-0087-2019 Variance of Use

As the property owners to the north of the proposed variance request, we previously submitted a letter expressing our concerns about this project and suggested some ways to mitigate those concerns. Since that point, we have communicated directly with both the developer (Mr. Ramos) and land owner (Mr. O'Toole) to work through our concerns. Mr. Ramos has been very receptive to our concerns, and it is our understanding that he will be submitting some updates to the original plan.

With the new updates, we fully support this project being next door to our property. We believe Leafspring School will be a positive addition to the community, and Mr. Ramos is already demonstrating being a good neighbor by meeting with neighbors to mitigate concerns. Some of the updates we have personally discussed with him include:

- **Center the building/ as far away from lot line as possible**
- **30-foot landscape barrier around property**
- **No other professional building; property only used for school/daycare**
- **Acceleration/Deceleration lanes**
- **Left turn lane**

Again, both Mr. Ramos and Mr. O'Toole have been very transparent regarding their vision for this property. After coming to a mutual understanding and compromise of how this land could be developed commercially with minimal disruptions to surrounding properties, we support a Variance of Use for Leafspring Schools next door to our property along Hazel Dell Rd.

Sincerely,
Elizabeth and Evan Ballard
Property owners at 15754 Hazel Dell Rd.

Elliott McGregory
Property owner at 15788 Hazel Dell Rd.

TWIN OAKS

We, the Home owners of Twin Oaks and surrounding neighbors petition the City of Noblesville to block the zoning variance to Leaf Spring Learning Center 15688 Hazel Dell Road.

Complaints with more to be added:

There will be major traffic congestion twice a day and without a left turn option traffic will use the Twin Oaks entrance. Smell from the waste, playground noise, lights from building, poles and autos, destruction of the tree line, and loss of home value.

First Name	Last Name	Address	Phone #	Signature
Tony	Schillaci	5893 Bartley Dr	6305616809	[Signature]
Tom / Leslie	Schuetz	15653 Monson	317 413 0672	[Signature]
BRIAN	HASKETT	15655 Monson	614-257 8158	[Signature]
Terry	Greuel	15677 Monson	317 579 5132	[Signature]
Bob	Greuel	" "	" "	[Signature]
Vicki	Dietz	5885 Barnard	317-678-6745	[Signature]
Jeany	Cook	15792 Barnard	317 414 7040	[Signature]
Holly	McKenna	15696 Monson	404-271-9023	[Signature]
Mike	Kramer	15713 Monson	317 727 2124	[Signature]
Mike	White	15749 Monson	317 254-9202	[Signature]
Glenda	White	15749 Monson	317-987-4623	[Signature]
AUSTIN	KIRBY	15761 Monson	3176034100	[Signature]
Dawn	Glick Boyer	15744 Monson	317 407-4917	[Signature]
Dick	Smith	15732 Monson	513 571-7999	[Signature]
Justin	Burke	15720 Monson	317-316-6877	[Signature]
Trina	Burke	15720 Monson	360-433-5038	[Signature]
Alina	Oleksienko	15770 Monson	360-901-1343	[Signature]
Alex	Oleksienko	15720 Monson	360-901-1343	[Signature]
Nick	Palladino	15689 Monson	317-984-1048	[Signature]
Snow	Snyder	15672 Monson	317 922-6513	[Signature]
Amarna	Singaramala	15660 Monson	217 903 3790	[Signature]
Ernie	Ujovna	15701 Monson	317 340-1665	[Signature]
Daniel	Wong	5870 Selis	317 551 8151	[Signature]
Chris	Lepew	5852 Selis	317 716 9813	[Signature]
Eric	Lindley	5847 Selis Sq	765 620 9743	[Signature]
Sarah	Lindley	5847 Selis Sq	765 623 0433	[Signature]
Andrew	Brown	15850 Barnard	317 415 5125	[Signature]
Deb	Bossingham	15836 Barnard	765-426-0224	[Signature]
Ken	Bossingham	15836 Barnard Dr	765-426-9918	[Signature]
RYAN	McNamee	15760 Barnard Dr	317-877-0949	[Signature]

Kevin McNamee	Kevin McNamee	15760 Barnard	317-373-5005	Kevin McNamee
Terri Hennen	Terri Hennen	15694 Monson	763-439-5497	Terri Hennen
Val Kienner	Hennen	15754 Monson	317-211-9335	Val Kienner
Donna Marie	Smith	15732 Monson	513-383-7168	Donna Marie Smith
Stephen	Todd	15896 HARGRAY	317-663-8774	Stephen Todd
Pamela	Kielty	15896 HARGRAY	220-535	Pamela Kielty
MELANIE	DWEN	16701 ANDERSON	614-282-8045	Melanie Dwen
John	Owen	16701 Anderson	414-788-1142	John E. Owen
TERESA	JOHNSTON	15913 HARGRAY	925-984-0202	Teresa Johnston
Mary Ann	WOOD	15824 HARGRAY	317-516-3422	Mary Ann Wood
Stephen	WOOD	15824 HARGRAY	317-445-7664	Stephen Wood
JERI	HUNGER	15800 HARGRAY	405-219-4903	Jeri Hunger
Linda	CICCONI	15641 Monson	909-247-0094	Linda Cicconi
Megan	Keenan	5834 Selic Square	317-727-9527	Megan Keenan
Down/Mike	McGraw	15958 Gaston	(317) 676-0164	Down/Mike McGraw
Derek/Melissa	Harvey	16032 Bounds Ct	317-910-2339	Derek/Melissa Harvey
MAT	SCHWARTZ	6201 1/2 AVE NE	317-413-9389	Mat Schwartz
Neela	KUMAR	15925 Monson Dr	517-402-6513	Neela Kumar
JOHN	DORRIS	15689 Monson Dr	317-730-5426	John Dorris
JOHN	COOK	15745 Barnard	317-208-3116	John Cook
SRIRANTH	THUMMA	15801 Barnard	317-606-6263	Sriranth Thumma
Catherine	HAZLETT	15809 Barnard	765-242-6095	Catherine Hazlett
Matt	Robertson	5833 Selic Square	317-491-5230	Matt Robertson
Helen	Harding	5851 Bladen Dr	819-743-4124	Helen Harding
FRANK	ROSSER	5868 Bladen Dr	762-442-7221	Frank Rosser
NARUONG	DORMIER	5832 Bladen	206-397-2676	Naruong Dormier
Karl	Kherr	15713 Monson	317-727-0364	Karl Kherr

OKSANA, More to come for the hearing!

7-29-19

Wanted to make sure you at least had these signatures for your compilation of all materials for Wednesday morning, Tom

Oksana Polhuy

From: charles dietz <cdietzjr1@gmail.com>
Sent: Wednesday, June 26, 2019 4:11 PM
To: mglodowski@noblesville.in.us; Noblesville Common Council; Oksana Polhuy
Subject: Leaf Spring School Variance 15720 Hazell Dell Rd. #BZNA-0078-2019

Categories: BZA

My name is Charles V. Dietz Jr. and I live at 5885 Bartley Dr. which is at the northeast border of the proposed Leaf Spring Day Care Facility. I wish to express my opposition to the proposed project at this time and would request that the City Council postpone any vote on the variance requested until a later date so that all the effected parties that will be impacted by this project have sufficient time respond to said project. Only last night were we as a community able to meet with attorney and developer for the proposed facility. As neighbors that will be greatly impacted by this project we need more time to truly understand how much of an impact either positive or negative to our neighborhood community this will have. At this time I am opposed to any construction or development at this site other than residential single family housing. It is my understanding that Hazell Dell was to remain a welcoming to the city of Noblesville and should not be littered with commercial type buildings or business other than areas already zone and set aside for such projects. My wife and I have recently moved here from NY, When we decided to build here we paid a premium for our lot as we were lead to believe no commercial type of facility would be allowed by the City of Noblesville to build on this piece of property as it was only for residential purposes. I am listing my concerns art this time.

Parking lot and commercial lighting and what affect it might have on our quality of life in our neighborhood.

Visual pollution due to the removal of the densely forested buffer that separates us from the sights and sounds of traffic on Hazell Dell Rd..

Property value as many of us have seen a dramatic increase on our assessments for the coming year. Was this already known by the City assessor prior to the new assessments? Can't imagine this project would have anything but a negative affect on our property values at this time.

Noise associated with the playground that will be part of the proposed project. Noise that will come from commercial vehicles daily deliveries, dumpsters etc..

Walking and bike path that children use up and down Hazell Dell on a daily basis. A lot of cars and commercial vehicles will be coming in and out on any given day. It's a bad enough crossing at the entrances of our own subdivision.

Nobody wants to look at commercial parking lots for 40 or more employees and visitors.

Dumpsters and the rodents and wild life that they will attract. We do not want rat infestation in our neighborhood. When there are food facilities on site it is a given.

If in the future this facility does not work out and is forced to close or abandoned, then will it be the next site of a costume store, vap store or office facility?

These are only a few which come to mind and certainly need to be addressed before any thought can be given to granting a variance which in actuality is like changing the current zoning from residential to

commercial. Please consider these and others in our neighborhood have in this short notice. Please consider these concerns and possible solutions that need to be ironed out before you vote on this project. We all need more time to work out the kinks before jumping into something that might just be the first step for Hazell Dell to be the new Rte. 37.

Thank you for your time and consideration listening to my concerns and that of our neighbors both north south east and west of this proposed facility.

Respectfully,

Charles V. Dietz Jr.

Patricia L. Dietz

Oksana Polhuy

From: Knerr, Karl <kknerr@hse.k12.in.us>
Sent: Friday, June 21, 2019 2:51 PM
To: Oksana Polhuy
Cc: Knerr, Amy; Maley, John
Subject: opposition to the proposed variance 15720 Hazel Dell Road

Categories: BZA

City of Noblesville
Department of Planning and Development
16 S 10th Street
Noblesville, IN 46060
Oksana Polhuy

Amy & Karl Knerr
15713 Monson Drive
Noblesville, IN 46062

Dear Oksana Polhuy,

I hope this email finds you well. We are vehemently opposed to the requested actions for a variance to develop the property 15720 Hazel Dell Road which is rightly zoned SR (suburban residential). We just moved to Noblesville after over thirty years in Carmel. Our intent was to find a nice Noblesville neighborhood surrounded by a friendly community where there is plenty of green space. Our lot in Twin Oaks backs up to the 5 acre lot on Hazel Dell. We paid an additional \$15,000 for our lot because the aforementioned lot in question was zoned single-family residential. This is an area designated for single-family homes and a big reason we purchased and built our dream home in Noblesville.

We would have never chosen this neighborhood if we had any inclination that our lot would back up to a large learning center and medical offices. We, along with our neighbors, stand to lose tens of thousands of dollars in property value with this development.

Please do not allow this variance in this beautiful single-family community. Again, we are strongly opposed to any zoning change. This would have a negative effect on our property value and our long term joy of living in Noblesville.

Sincerely,

Amy and Karl Knerr

ktknerr@gmail.com

317-727-0364

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Oksana Polhuy

From: Knerr, Amy <aknerr@hse.k12.in.us>
Sent: Friday, June 28, 2019 8:55 AM
To: Oksana Polhuy
Subject: Opposition to daycare development

Categories: BZA

Dear Ms. Polhuy,

I'm writing to express strong opposition to the proposed development to the 5 acre lot south of the Twin Oaks neighborhood entrance on Hazel Dell Parkway.

My husband and I have taught a combined 67 years in Hamilton County public schools, and we are planning on retiring soon. Our brand new house, which is on Monson Drive and backs up to the proposed development, represents a significant portion of our financial stability in our retirement. We paid an additional \$15,000 for our lot because we enjoy the view of the beautiful green space behind our house. We can not afford to lose tens of thousands of dollars in property value decrease that the development of the Leaf Spring would cause.

When we were considering building our home with Lennar, we were told that the property in question was zoned residential. We knew there was the possibility of homes being built in that space, but we had no inclination that the property could become a vast daycare with 24 hour lighting. We would never have built this house if we'd known that was the case.

My husband and I are avid runners, and we enjoy using the trail along Hazel Dell and the beautiful trees along the path. We are sure the proposed development would greatly diminish our property value and the enjoyment of our new home and our new neighborhood. We are also sure that our neighbors feel the same way.

My husband and I will be on vacation next week, so we are unable to attend the [July 1](#) meeting. We would most certainly attend to express our opposition in person if we could.

The appeal of Twin Oaks is due in large part to the beautiful natural areas in and around our neighborhood. Please do not allow Leafspring School to harm that. Thank you for your consideration.

Sincerely,

Amy Knerr

Sent from my iPad

Sent from my iPhone

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Oksana Polhuy

From: Jon Dorris <jdorris@helmerinc.com>
Sent: Wednesday, June 26, 2019 3:48 PM
To: Oksana Polhuy
Subject: Leafspring School Variance 15720 Hazel Del #BZNA-0078-2019

Categories: BZA

Dear sir or madam

I am writing this letter In opposition to a request for variance to build a commercial daycare on the residential property located on Hazel Del Parkway.

I first moved to East Haven and lived there for 12 years. I went away for a couple years but when I returned I wanted to live in the same general area and now reside in Twin Oaks. I returned to this area because of the sense of community, safety to raise kids, and access to commercial areas that are close, but not directly on my doorstep.

To allow a commercial development to exist in the heart of a residential neighborhood shows complete disregard for the safety and well being of the residents. Especially when the corridor in question was never intended to be used in the way that has been proposed.

Please consider my request as I also intend to be present at the BZA meeting on 7/1/19.

Sincerely,

Jon Dorris

Jon Dorris | Sr. Electrical Engineer

Helmer | 14400 Bergen Blvd | Noblesville, IN 46060 USA

800 743 5637 | +1 317 219-3962

jdorris@helmerinc.com | www.helmerinc.com

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Oksana Polhuy

From: PlanDept
Sent: Wednesday, June 26, 2019 2:34 PM
To: Oksana Polhuy
Subject: FW: Leaf spring school on Hazel Dell

Categories: BZA

-----Original Message-----

From: Melissa Adkins <melann69@gmail.com>
Sent: Wednesday, June 26, 2019 11:49 AM
To: PlanDept <plandept@noblesville.in.us>
Subject: Leaf spring school on Hazel Dell

To Whom it May Concern,

I live in Twin Oaks of Noblesville and was recently informed by a neighbor that there is a zoning hearing concerning the rezoning of residential property for a Leafspring day care center. I was unable to attend last night's informational meeting due to such short notice. Myself and several neighbors are wondering why only a handful of houses received a written mailed notice to this? Hazel Dell traffic has increased 10 fold in the 5+ years I have lived here and I am extremely concerned about what a center for 300+ children and 40 employees and additional bus service for before and after school care will add to this. Although visually appealing the trees that were planted in the median are already causing some issues for residents to make the left onto Hazel Dell, I can only imagine what growth to them and more traffic will cause. I was also told by a neighbor who was in attendance last night that there has been NO TRAFFIC STUDY done on the impact of this.

I and as many neighbors as we can organize plan on being at the meeting on July 1st to oppose this. I would like to know what regulations if any allowed for so few to be notified and for considering this without a traffic study? I would appreciate any help.

Thank you,

Melissa Barker
(317) 657-5146
Melann0069@yahoo.com
15864 Barnard Dr,
Noblesville, IN 46062
Sent from my iPad

Oksana Polhuy

From: Heather R <hrolinski@gmail.com>
Sent: Wednesday, June 26, 2019 4:46 PM
To: Oksana Polhuy; Michelle Glodowski; Noblesville Common Council
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

Hello,

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential.

The reasons for opposition are:

- 1) The property backs up to many residential homes, which will have 24-7 commercial lighting shining and excess noise from the playgrounds - the childcare center has a large indoor/outdoor campus which brings in over 300 kids a day
- 2) Property values could decrease due to the location and negative impact on the homes bordering the commercial property (one estimate is 25% decrease in value), not to mention these properties paid a huge lot premium to border mature trees and residential zoning.
- 3) No traffic study has been done. With 113 parking spaces and over 300 children served, we will have increased congestion at the Twin Oaks Hazel Dell entrance (left turns are already significantly hindered) along with disruption to the smooth traffic flow we currently enjoy along that residential stretch from 156th to SR 32. Based on attendance and staff projections, we will have over 700 cars entering and exiting a day (including parents, full-time and part-staff during high traffic time periods). This parking lot will be a traffic jam at rush hour times as people try to make a left turn with such a narrow gap in the median at that parcel. This increases risks for collisions on Hazel Dell with cars going full speed.
- 4) The land would be excavated to clear room for this large campus, depleting the existing mature trees
- 5) No environmental impact study has been done and there is a history of dirt being dumped on this land over the years, clay plates below the surface, and a retention pond that collects water run-off. Developing this land on such an unsteady foundation and disrupting the clay plates below the surface will result in dangers for the building and flooding for the area. Especially if the business owner builds up the property to be on a higher elevation, as they have proposed.
- 6) In-home daycares operating in Twin Oaks, East Haven and surrounding neighborhoods could potentially be put out of business with a large commercial childcare center directly bordering our neighborhoods. Our neighborhoods are their target customer based on household incomes and property values. We do not need to be putting small businesses under with a luxury childcare center. If this were located on a commercially zoned lot, there wouldn't be as much of direct impact on these in-home daycares operating right next door to this parcel.

Cherry Tree Estates and Lockhaven successfully opposed the same business from going in at Cherry Tree and 146th, another residentially zoned lot. The residential impact on Hazel Dell mirrors those same concerns raised by the communities.

I will be in attendance at the July 1 meeting. In the meantime, please consider my concerns.

Best regards,
Heather Rolinski
Twin Oaks
15848 Hargray Dr.

Oksana Polhuy

From: Michelle Glodowski
Sent: Wednesday, June 26, 2019 4:29 PM
To: Linda Cicconi
Cc: Oksana Polhuy
Subject: Re: Public hearing for a zoning variance at 15720 Hazel Dell Road

Categories: BZA

Thank you for emailing the city. We appreciate you taking time to share your thoughts with us. I have copied our planning department so they will have a copy of your remarks for their files.

Kind regards,

Michelle Glodowski
Mayor's Office
City of Noblesville
Office: 317-315-3350
www.cityofnoblesville.org

On Jun 26, 2019, at 4:25 PM, Linda Cicconi <lcicconi@yahoo.com> wrote:

I received notification by mail of the zoning variance hearing for proposed Leafspring school at the afore mentioned property site, hearing scheduled for July 1, 2019 6pm.

I live in the Twin Oaks community, 15641 Monson Drive, and the backyard of my property directly faces the back of the proposed school site.

The notice states that any written suggestions or objections to planning and development staff be received prior to the hearing date.

It has come to my attention through our Twin Oaks community facebook that the deadline to submit written comments / objections is the end of business today.

Our neighborhood was not formally advised of that deadline: myself or my neighbors. and it is unfair that this deadline be set without our knowledge.

I am opposed to the zoning variance for the school because it will most certainly lower my property value. My backyard now faces only a gorgeous stand of thick trees. When purchasing this lot, I, and my neighbors on Monson Drive who will also face the backyard of the school, paid a premium price for our lots: twice to slightly over 3 times the price of other lots in this community. We now face the possibility of looking at the back of a school, a parking lot for 113 cars, a dumpster and some sort of pond reservoir drainage.

I am opposed to the zoning variance because of noise concerns. This is a residential community. The proposed school will have 360 children, playing outside at various times in the back of the school area which faces my backyard. I do, not want that noise.

The proposed school will have parking and a turnaround area for 133 cars. The school will be open 12 hours daily, from 6:30 am to 6:30 pm. That means I will listen to 113 cars enter the parking lot to drop off children, then leave the parking lot, return to the parking area to pick up children and then leave the area. That is 113 cars driving in and out 2 times daily. I will not only see this from my living room and dining room windows, but hear this. The proposed school representative at an informational meeting held last night at Noblesville Crossing Elementary indicated there would also be delivery trucks in and out of the property as well as cleaning crews at 11pm.

I do not want that noise.

At the present time, Hazel Dell Road is quite busy. The huge stand of trees between my yard and the road significantly muffles this noise. With the current stand of trees gone for the proposed project, I will not only hear but see the traffic on Hazel Dell as well as the increased noise and activity from the school.

I am opposed to the zoning variance. This is a quiet and lovely residential area. I purchased my home here 2 years ago for a reason. I am retired, I paid a premium price for a premium lot with a stand of trees in the back. Now all this will be

destroyed if the proposed school is allowed to be built. There is plenty of undeveloped land northward toward 161st St, 169th St where this school site would be appropriate and I would encourage the developer to consider.

I am also disappointed that I was not notified of the apparent cut off time for written comments.

My neighbors indicate they were not advised as well.

I vote no on the zoning variance

I would like to see the proposed public hearing date (set for July 1) rescheduled so the Twin Oaks community has sufficient time to respond to the considered variance

Thank you

Linda Cicconi

15641 monsoon Dr, Noblesville

cell:909-247-0094

lccicconi@yahoo.com

Oksana Polhuy

From: slone_brenda <slone_brenda@yahoo.com>
Sent: Wednesday, June 26, 2019 4:29 PM
To: Oksana Polhuy
Subject: BZNA-0078-2019 Variance Request

Categories: BZA

Oksana Polhuy,

I am writing today to object to the variance requested by Leafspring to construct a commercial building in a residential area on Hazel Dell under a special use variance, or for any future request for variance or to rezone from any other commercial entity.

Among many concerns that my neighbors and I have, I am most concerned that allowing businesses to purchase residential zoned property then request special use variances (at lower prices than commercial zoned property, but higher prices than residential lots), will set precedent that will disturb the harmony of residential neighborhoods along Hazel Dell and cause the many empty commercial lots at the corner of Hazel Dell/146th Street to continue to be undeveloped. I can't believe this was the plan developed for this gateway into Noblesville.

I have an appreciation for the need of supreme day cares in Noblesville, and I wish Leafspring much success. However, not on this lot, in this location. The current owner of the lot has advertised this property for possible commercial use for many years hoping to cash in on the variance request. I am requesting that the council deny the request and maintain the harmony of the residential neighborhoods along Hazel Dell.

Thank you for your attention and consideration.

Regards,
Brenda Slone
15886 Bounds Drive, Noblesville

Oksana Polhuy

From: Michelle Glodowski
Sent: Wednesday, June 26, 2019 3:24 PM
To: Carrie Ann Young
Cc: Noblesville Common Council; cyv311@gmail.com; Oksana Polhuy
Subject: Re: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

Ms. Young,

Thank you for emailing the city. We appreciate you taking time to share your thoughts with us. I have copied our planning department so they will have a copy of your remarks for their files.

Kind regards,

Michelle Glodowski
Mayor's Office
City of Noblesville
Office: 317-315-3350
www.cityofnoblesville.org

On Jun 26, 2019, at 2:35 PM, Carrie Ann Young <carrie.young@lilly.com> wrote:

Mr. Mayor and City Council Members,

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding increased traffic, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, and safety and usability of the bike and walking path in front of the parcel.

As a resident who recently built directly behind this parcel and paid \$15K premium on my lot due to the empty parcel currently in review behind my home, I ask that you stop Mr. O'Toole and the Leaf Spring developers from using this land for commercial purposes. The only reason this particular plot is sought is due to the cost – other commercially available lots are more expensive and are cutting into the potential profits of the Leaf Spring franchise owner. Additionally, Mr. O'Toole has repeatedly advertised this lot as being available for commercial use when he himself originally bought the property to build a single family residence. This commercial, for-profit daycare is not suitable to be located in between the two gorgeous homes on Hazel Dell that sit to the north and south of this lot; it's the equivalent of building this center in between two historic and large homes off Meridian on the near north side of the city.

My community, neighbors, and I ask that you consider the Noblesville residents' concerns and request you deny the applicants' request.

Kind regards,

Carrie Young
15701 Monson Drive, Noblesville
317-340-1665

Carrie Young
Advisor, Clinical Information and Process Automation

Eli Lilly and Company

Lilly Corporate Center, Indianapolis IN 46285 USA
317.671.5599 (mobile)

carrie.young@lilly.com | www.lilly.com

<image001.jpg>

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Oksana Polhuy

From: Melinda Deedrick <jmdeedrick@sbcglobal.net>
Sent: Thursday, June 27, 2019 1:54 PM
To: Oksana Polhuy
Subject: 'Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019'

Categories: BZA

I am a resident of Twin Oaks neighborhood which is adjacent to the property for which a variance has been requested for Leaf Spring School. I applaud the developer and his lawyer for reaching out to answer questions and to determine the concerns of those in the “residential” area surrounding this property.

This property is zoned residential as well and I am concerned that it’s intended use might be changed. Many years ago, Noblesville planned for the use of this property as well as others around the city. I am sure those doing the planning didn’t randomly throw darts at a map to say “this property will be residential, this property will be commercial”, etc. A plan was developed so the city would not be haphazardly built.

If this variance goes through, that planning done many years ago will be of no use. There will be a commercial property right in the middle of residential. Does that mean the rules for development for neighborhoods in regards to common spaces, shrub and tree plantings, design, etc is of no use also? Why do we even have a plan then if we are not going to stick to it?

I urge you to keep that which has been zoned residential as just that “residential”. By changing the PLAN, it sets a precedent for other properties to be changed . A vision for Noblesville was decided upon and we bought in each of our neighborhoods in this area knowing it would be residential.

Thank you for considering my request.

Melinda Deedrick
15848 Plains Rd.
Noblesville

Sent from [Mail](#) for Windows 10

Oksana Polhuy

From: Terry Grevel <tgrevel@sbcglobal.net>
Sent: Friday, June 28, 2019 11:48 AM
To: Oksana Polhuy
Subject: Case Number BZNA-0078-2019

Categories: BZA

Board of Zoning Appeals

Building a early learning center on the Hazel Dell property should not be allowed. This property should only allow single family homes.

My wife and I live at 15677 Monson Dr. on the eastern border of the 15720 Hazel Dell Road property.

We built our home in 2018 and paid an extra \$10,000 for the lot assuming that single family homes could be built to the west of us in the future. We currently have a peaceful, pleasant view of the wooded area.

We would not have moved to our current location if the learning center had already existed or if we had known it would be possible.

The building of the learning center would destroy our peace and cause the \$10,000 investment to be wasted.

A 22,000 square foot building (25 feet tall) and 113 parking places is not going to disappear behind a few evergreens. We both currently enjoy sitting outside facing this property. The 12 hour a day five day a week activity at a learning center will substantially degrade our living experience.

My wife and I say that allowing this project to proceed would substantially affect us in an adverse manner.

Thank You

Terry and Barbara Grevel

Oksana Polhuy

From: admin <autonsi@gmail.com>
Sent: Wednesday, June 26, 2019 5:05 PM
To: Oksana Polhuy
Subject: Leaf Spring Learning Center

Categories: BZA

This message is not encrypted but sent from a verified user on the [dmail blockchain](#)

Dear Oksana Polhuy,

I am one of the residents who would backup to this construction proposal. I oppose this completely along with many of my neighbors let me just give you my reasons.

- 1) We paid a premium for a privacy lot.
- 2) As a Artist I work from home can't deal with the noise also the reason we left our Indianapolis home.
- 3) Traffic is going to be overwhelming base on the amount of students plus the noise and headlights that interfere.
- 4) Beautiful tree line gone
- 5) Not giving the residents enough time to show our differences

I hope your Council takes this under consideration,

5893 Bartley Dr
Anthony Schillaci

Oksana Polhuy

From: James Mullen <james.i.mullen@gmail.com>
Sent: Wednesday, June 26, 2019 4:30 PM
To: Oksana Polhuy; Michelle Glodowski; Noblesville Common Council
Subject: Re: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

To Whom it May Concern:

I STRONGLY oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding:

- the hazards the traffic increase for several of the communities with children and Noble Crossing Elementary will bring
- the hazards the traffic increase for the bike and walking path in front of the parcel creates, while limiting and restricting usage of said elements
- commercial lighting in a residential area would be nuisance to the homes near the proposed property
- home and property values for residents behind and adjacent to the property would ultimately decline if this commercial property is allowed.

My community of Twin Oaks asks that you consider the residents' concerns and request you DENY the applicants' request.

James Mullen
Twin Oaks Resident
Bounds Court

On Wed, Jun 26, 2019 at 4:07 PM Erin Mullen <erin.e.mullen@gmail.com> wrote:

To Whom it May Concern:

I STRONGLY oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, property values for residents behind, beside and adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc. My community of Twin Oaks asks that you consider the residents' concerns and request you DENY the applicants' request.

Erin E. Mullen
16021 Bounds Court
Noblesville, IN 46062

Oksana Polhuy

From: Michelle Glodowski
Sent: Wednesday, June 26, 2019 4:19 PM
To: Larry Black
Cc: Oksana Polhuy
Subject: Re: Leaf spring Daycare Hazel Dell

Categories: BZA

Thank you for emailing the city. We appreciate you taking time to share your thoughts with us. I have copied our planning department so they will have a copy of your remarks for their files.

Kind regards,

Michelle Glodowski
Mayor's Office
City of Noblesville
Office: 317-315-3350
www.cityofnoblesville.org

On Jun 26, 2019, at 3:20 PM, Larry Black <ladblack@gmail.com> wrote:

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic and property values. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Larry Black
Twin Oaks resident
6051 Boundary Drive, Noblesville, IN 46062

Sent from my iPhone

Oksana Polhuy

From: Pamela Kielty <kielty.pamela@yahoo.com>
Sent: Monday, July 29, 2019 3:54 PM
To: Oksana Polhuy
Subject: Fwd: Opposition to Variance/Rezoning request by LeafSpring Learning Center 15688 Hazel Dell Road

Sent from my iPad

Begin forwarded message:

From: Pamela Kielty <kielty.pamela@yahoo.com>
Date: July 29, 2019 at 3:52:33 PM EDT
To: opolhuy@noblesville.in.ud
Subject: Opposition to Variance/Rezoning request by LeafSpring Learning Center 15688 Hazel Dell Road

To: Board of Zoning Appeals, City of Noblesville, Indiana
From: Pamela Kielty
Re: Opposition to Request for Zoning Variance at 15688 Hazel Dell Road by LeafSpring Learning Center
Date: July 29, 2019

I am writing as a resident of the Twin Oaks neighborhood to express my strong opposition to the requested zoning variance above referenced. My major objections are as follows:

1. Such a change would substantially alter the integrity of this residentially zoned area, devaluing residential property, and thus the value of my primary asset, our home at 15896 Hargray Drive.
2. If this variance is granted it paves the way for other land in this immediate area to be similarly rezoned, further permanently altering this residential area.
3. The increase in traffic from potentially 700 vehicles entering and exiting this proposed business onto Hazel Dell Road would further congest traffic flow, especially at the 161st Street roundabout. It would also raise safety issues for those who use the side path along Hazel Dell Road for walking, running, strolling children and biking.
4. The lighting for the proposed day care center would illuminate parts of the Twin Oaks development, resulting in light pollution.
4. Other residential developments have raised opposition to the LeafSpring Learning Center near their homes and thwarted the attempt to change the integrity of their neighborhood. The Master Plan for this area of Hazel Dell Road does not include this type of development.

For the reasons provided above I urge you to **REJECT** the request for a zoning variance.

Pamela Jane Kielty
15896 Hargray Drive
Noblesville, Indiana 46062
Phone: 317-663-8774

Oksana Polhuy

From: Stephen Todd <stephenc.todd@yahoo.com>
Sent: Monday, July 29, 2019 5:00 PM
To: Oksana Polhuy
Subject: Fw: OPPOSITION TO VARIANCE REQUEST BY LEAFSPRING LEARNING CENTER

----- Forwarded Message -----

From: Stephen Todd <stephenc.todd@yahoo.com>
To: opolhuy@noblesville.in.ud <opolhuy@noblesville.in.ud>
Sent: Monday, July 29, 2019, 04:46:46 PM EDT
Subject: OPPOSITION TO VARIANCE REQUEST BY LEAFSPRING LEARNING CENTER

To The Board of Zoning Appeals, City of Noblesville, Indiana: I am writing to express my opposition to the requested variance by LeafSpring Learning Center at 15688 Hazel Dell Parkway. We moved into our home in Twin Oaks on July 29, 2015. When one drives north on Hazel Dell from 146th street, after passing CVS and Kroger, there is no indication, nor was there in 2015, that the property along Hazel Dell is zoned for anything other than residential. Based on the number of potential students and staff, Hazel Dell will become even more congested considering Noble Crossing Elementary School's proximity to the proposed variance. If there are to be medical offices as well, that will further increase traffic flow. In addition, there will most certainly be southbound vehicles attempting to turn left into the proposed Learning Center and exiting vehicles attempting to turn left and head south, causing more congestion and greater potential for accidents. I am wondering if a traffic study has been conducted. If not, why not and, if so, what were the findings? Another concern is potential light and noise pollution. Has an environmental impact study been conducted? There appears to be a lot of land available with existing commercial usage where this proposed Center would be better suited. I am respectfully requesting you DENY the proposed zoning variance. Stephen C. Todd, 15896 Hargray Drive, Noblesville, Indiana 46062. Tel. 317-663-8774.

Oksana Polhuy

From: mattgraham313 <mattgraham313@gmail.com>
Sent: Monday, July 15, 2019 5:22 PM
To: Oksana Polhuy
Subject: RE: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

I oppose the requested variance for the daycare / "school" on this residentially zoned property.

This proposal is inappropriate for a few reasons:

- 1) The busy commercial use that the daycare would bring would adversely affect property values of the surrounding neighborhoods and lower the quality of life of their residents. The amount of noise pollution and light pollution that would be created would destroy the desirability of the area that the City of Noblesville has planned so well to create.
- 2) The size of the lot does not allow for an adequate buffer between the proposed commercial buildings and the adjacent homes, nor does it leave much room to maintain the feel for this section of the Hazel Dell corridor. It feels excessive to propose a parking lot of a capacity of 125 in this location.
- 3) There are already more suitable locations nearby to locate this business. If the owners of this property want to profit off of the zoning change, they will do so at the expense of current residents. Why should we make changes to zoning restrictions here if there are already planned areas for this use?
- 4) The combined traffic of a day care and elementary school may bog down traffic on Hazel Dell at peak times. A traffic study would be necessary to determine the extent.

While I do not oppose every potential non-residential use for this property, I do think care should be taken to determine what an appropriate use should be. In this case, I request that you deny the applicant's request for a variance.

Thank you,

Matthew Robert Graham

15708 Monson Dr

Noblesville, IN 46062

----- Original message -----

From: Oksana Polhuy <opolhuy@noblesville.in.us>

Date: 7/2/19 3:16 PM (GMT-05:00)

To: mattgraham313 <mattgraham313@gmail.com>

Subject: RE: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Mr. Graham,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner

Department of Planning and Development

City of Noblesville

16 S. 10th Street, Suite 150

Noblesville, IN 46060

317.776.6325

Oksana Polhuy

From: Andrew Meyer <meyer.andrewa@gmail.com>
Sent: Tuesday, July 2, 2019 6:56 PM
To: Oksana Polhuy
Subject: Re: Leaf Spring Variance 15720 Hazel Dell #BZNA-0078-2019 OPPOSITION

Categories: BZA

Thanks. See below

Get [Outlook for Android](#)

From: Oksana Polhuy
Sent: Tuesday, July 2, 4:56 PM
Subject: RE: Leaf Spring Variance 15720 Hazel Dell #BZNA-0078-2019 OPPOSITION
To: Andrew Meyer

Hello,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner
Department of Planning and Development
City of Noblesville
16 S. 10th Street, Suite 150
Noblesville, IN 46060
317.776.6325

From: Andrew Meyer [mailto:meyer.andrewa@gmail.com]
Sent: Thursday, June 27, 2019 6:30 PM
To: Oksana Polhuy <opolhuy@noblesville.in.us>; Michelle Glodowski <mglodowski@noblesville.in.us>; Noblesville Common Council <NCC@noblesville.in.us>
Subject: Leaf Spring Variance 15720 Hazel Dell #BZNA-0078-2019 OPPOSITION

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel. My community asks that you consider the residents' concerns and request you deny the applicants' request.

We purchased our home in the area that we did with the sole intention of finding a peaceful, quiet, residential only community within Noblesville. This variance request goes against everything that, I'm sure the majority of residents, sought out when establishing our roots in the surrounding residential neighborhoods. We looked for a place to raise a family without worry of any of the issues above. You, as representatives of the people, will be stripping that away in authorizing this request.

Sincerest regards

Andrew & Michele Meyer
5973 Catlin Ln
Noblesville, IN 46062
East Haven Residents

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July 8, 2019

Oksana Polhuy, Associate Planner
Department of Planning and Development
City of Noblesville
16 S. 10th Street, Suite 150
Noblesville, IN 46060

RE: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

To Whom It May Concern:

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell.

My concerns are the following:

1. This variance is in opposition to the master plan to keep Hazel Dell residential.
2. Increased traffic on Hazel Dell
3. Commercial lighting in a residential area
4. Noise from trash collection and outdoor playground
5. Potential odor from idling cars waiting to drop off/pick up kids
6. Decrease in property values for residents adjacent to the parcel
7. Safety and usability of bike and walking path in front of the parcel
8. The potential that this will fuel future sales of adjacent residential properties for commercial development

My community asks that you consider the residents' concerns and request you deny the applicants' request.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael White", is written over a white background.

Michael White
Twin Oaks of Noblesville Resident
15749 Monson Drive
Noblesville, IN 46062

Oksana Polhuy

From: Susan Graham <msgraham22@gmail.com>
Sent: Tuesday, July 2, 2019 3:18 PM
To: Oksana Polhuy
Subject: Re: Leaf spring school variance 15720 Hazel Dell #bzna-0078-2019

Categories: BZA

To whom it may concern:

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. As a resident of Twin Oaks, I am concerned that this business will negatively effect my property value. I am also concerned about traffic and my families ability to use the bike trails in front of such a large faculty. The commercial lighting would also be a nightmare for the peace of our community.

Please deny the variance request for the commercial daycare.

Thank you,

Susan Christine Graham

6203 bayard dr.
Noblesville, In 46062

> On Jul 2, 2019, at 3:10 PM, Oksana Polhuy <opolhuy@noblesville.in.us> wrote:

>

> To whom it may concern:

>

> I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. As a resident of Twin Oaks, I am concerned that this business will negatively effect my property value. I am also concerned about traffic and my families ability to use the bike trails in front of such a large faculty. The commercial lighting would also be a nightmare for the peace of our community.

>

> Please deny the variance request for the commercial daycare.

>

> Thank you,

>

> Susan Graham

Oksana Polhuy

From: Bill Puller - East Haven
Sent: Wednesday, June 26, 2019 5:57 PM
To: Oksana Polhuy; Michelle Glodowski; Noblesville Common Council
Subject: Leafspring School Variance 15720 Hazel Dell Rd., BZNA-0078-2019

Categories: BZA

Dear Sir or Madam -

I am writing to oppose the request for variance/re-zoning to build a commercial daycare on the identified parcel of land located at 15720 Hazel Dell Rd., which is currently zoned residential. This request goes against the master plan to keep the area residential, and I am concerned about placing a commercial entity in close proximity to several neighborhoods and a school. My concerns relate to the potential increase in traffic, safety of those who use the walking/biking trail, and potential impact to property values in the area.

On behalf of myself and my neighbors I urge you to deny this request.

Respectfully,
William J. Puller
6007 Catlin Ln.
Noblesville, IN 46062

Oksana Polhuy

From: kmills@noyesfoundation.org
Sent: Wednesday, June 26, 2019 6:03 PM
To: Oksana Polhuy
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

Good afternoon,

I purchased a home in Twin Oaks last fall and I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, and our property values adjacent to this business, safety and usability of bike and walking path in front of the parcel, etc. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Thank you!

Kelly Mills
6215 Bayard Drive
Noblesville, IN 46062
317-694-1266
Twin Oaks

Oksana Polhuy

From: Gabriel Landis <gtlandis86@gmail.com>
Sent: Wednesday, July 3, 2019 8:23 AM
To: Oksana Polhuy
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

To whom it may concern,

I am writing to express my opposition to the requested land use variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel. This was already blocked in another residential area. The assessment that this development is complementary or needed in our area is subjective and formed by those who stand to profit from said development. There are several other non-residential areas of which would be more appropriate for the daycare. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Regards,

Gabriel Landis
15752 Barnard Dr
Noblesville, IN 46062

Oksana Polhuy

From: Schneider, Lori <LSchneider@walkerinfo.com>
Sent: Wednesday, June 26, 2019 9:33 PM
To: Oksana Polhuy
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding {insert your concerns here: traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc}. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Lori Schneider
5145 Sweetwater Drive
Noblesville IN 46062

Oksana Polhuy

From: John Gmail Acct. <jelesniewski@gmail.com>
Sent: Sunday, June 30, 2019 1:01 PM
To: Michelle Glodowski; Noblesville Common Council; Oksana Polhuy
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding {insert your concerns here: traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc}. My community asks that you consider the residents' concerns and request you deny the applicants' request.

John Lesniewski
16703 Silver End Circle
Noblesville, IN 46062

Sent from John Lesniewski's iPhone.

Oksana Polhuy

From: Justin Burke <iburke28@gmail.com>
Sent: Wednesday, June 26, 2019 4:30 PM
To: Oksana Polhuy
Subject: BZNA-0078-2019

Categories: BZA

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic issue, bother neighborhood, safety concerns, and decrease house values. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Justin Burke
Resident @ TWIN OAKS 15720 Monson Dr

Sent from my iPhone

Oksana Polhuy

From: Amarnath Singanamala <amarnathsinganamala@gmail.com>
Sent: Wednesday, July 3, 2019 1:16 PM
To: Oksana Polhuy
Subject: Re: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

Hello,

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc.,. My community (Twin Oaks of Noblesville) asks that you consider the residents' concerns and request you deny the applicants' request.

Fullname - Amarnath Babu Singanamala
Address - 15660 Monson Dr, Noblesville IN 46062.

Regards,
Amarnath Singanamala

On Tue, 2 Jul 2019 at 15:14, Oksana Polhuy <opolhuy@noblesville.in.us> wrote:

Ms. Singanamala,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner

Department of Planning and Development

City of Noblesville

16 S. 10th Street, Suite 150

Noblesville, IN 46060

317.776.6325

Oksana Polhuy

From: Karen Tuttle <ktuttle1221@att.net>
Sent: Friday, July 5, 2019 9:11 PM
To: Oksana Polhuy
Subject: Re: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. I have great concerns about traffic increase and traffic safety and property values for the residents in the area. I ask that you consider the concerns of the residents and deny the applicants request for a variance

My name is Karen Tuttle and I live at 15662 Myland Drive, Noblesville, IN 46062. I live in the Twin Oaks neighborhood.

On Tuesday, July 2, 2019 03:15:57 PM EDT, Oksana Polhuy <opolhuy@noblesville.in.us> wrote:

Ms. Tuttle,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner
Department of Planning and Development
City of Noblesville
16 S. 10th Street, Suite 150
Noblesville, IN 46060
317.776.6325

-----Original Message-----

From: Karen Tuttle [mailto:ktuttle1221@att.net]
Sent: Wednesday, June 26, 2019 9:01 PM
To: Oksana Polhuy <opolhuy@noblesville.in.us>; Michelle Glodowski <mglodowski@noblesville.in.us>
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. I have great concerns about traffic increase and traffic safety and property values for the residents in the area. I ask that you consider the concerns of the residents and deny the applicants request for a variance.

Thank you,

Karen Tuttle

Sent from my iPhone

Oksana Polhuy

From: saad ali <saady_ali@hotmail.com>
Sent: Thursday, June 27, 2019 3:37 PM
To: Oksana Polhuy; Michelle Glodowski; Noblesville Common Council
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Categories: BZA

Hello,

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc. My community asks that you consider the residents' concerns and request you to deny the applicants' request.

Thanks
Saad Ali
5778 Kingfisher Pl

Oksana Polhuy

From: Christy Watkins <christywatkins71@gmail.com>
Sent: Thursday, July 4, 2019 1:34 PM
To: Oksana Polhuy
Subject: Re: Leaf Spring school variance15720Hazel Dell #BZNA-0078-2019

Categories: BZA

Christy Watkins
6216 Bayard Dr
Noblesville IN 46062

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential and I have concerns regarding {insert your concerns here: traffic increase, traffic safety, commercial lighting in a residential area, property values for residents adjacent to the parcel, safety and usability of bike and walking path in front of the parcel, etc}. My community asks that you consider the residents' concerns and request you deny the applicants' request.

Sent from my iPhone

On Jul 2, 2019, at 3:13 PM, Oksana Polhuy <opolhuy@noblesville.in.us> wrote:

Ms. Watkins,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner
Department of Planning and Development
City of Noblesville
16 S. 10th Street, Suite 150
Noblesville, IN 46060
317.776.6325

-----Original Message-----

From: Christy Watkins [<mailto:christywatkins71@gmail.com>]
Sent: Wednesday, June 26, 2019 5:55 PM
To: Oksana Polhuy <opolhuy@noblesville.in.us>; Michelle Glodowski <mglodowski@noblesville.in.us>; Noblesville Common Council <NCC@noblesville.in.us>
Subject: Leaf Spring school variance15720Hazel Dell #BZNA-0078-2019

I oppose the requested variance to build a commercial daycare on the residential property located on Hazel Dell. This variance is in opposition to the master plan to keep Hazel Dell residential

Oksana Polhuy

From: PlanDept
Sent: Thursday, June 27, 2019 11:06 AM
To: Oksana Polhuy
Subject: FW: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

From: Christopher Davis <chris@davisclaimsservice.com>
Sent: Thursday, June 27, 2019 10:20 AM
To: PlanDept <plandept@noblesville.in.us>
Cc: Jenifer Davis (jeni_11@hotmail.com) <jeni_11@hotmail.com>
Subject: Leaf Spring School Variance 15720 Hazel Dell #BZNA-0078-2019

Hello,

I opposed this variance request. There are other commercial lots and buildings available near 146th and Hazel Dell. I see no reason to disturb the residents living adjacent to this proposed development.

Respectfully,

Chris Davis
5944 Salisbury Ln
Noblesville, IN 46062
(812) 239-4295

**WEST HAVEN AT
NOBLE WEST**

Oksana Polhuy

From: PlanDept
Sent: Monday, July 1, 2019 9:59 AM
To: Oksana Polhuy
Subject: FW: Rezoning 15688 Hazel Dell

Categories: BZA

-----Original Message-----

From: Margaret Fallin <margaretfallin@gmail.com>
Sent: Friday, June 28, 2019 9:45 AM
To: PlanDept <plandept@noblesville.in.us>
Subject: Rezoning 15688 Hazel Dell

Good morning,

I am writing you today out of concern for the proposed rezoning of residential land to commercial located at 15688 Hazel Dell for Leafspring School. The surrounding neighborhoods have many concerns about the approval of the daycare, some of which I share.

As Noblesville continues to grow, it is imperative that we be mindful as a city that we are properly zoning property to maximize the benefit to our community by maintaining and improving aesthetics, maintaining property tax basis, and maintaining safety in our community. It is very tempting to pursuit immediate tax revenue without properly considering the long-term effects.

https://www.cityofnoblesville.org/egov/documents/1561120898_57611.pdf

My expressed concerns are the following:

A) There continue to be many empty commercial lots to the south on both the east and west side of Hazel Dell. These lots have stayed mostly vacant for the large portion of 15 years that we have lived in West Haven. There are a large number of lots empty at Highway 32 on the northeast corridor. I am left asking why THINK Holdings, LLC prefers 15688 Hazel Dell over these locations. I suspect the answer is cost.

B) I am very concerned about the increased traffic that would be pushed north of the existing commercial development. THINK Holdings, LLC is requesting 113 parking spots which seem to be a significant number for a daycare facility. Leafspring Schools does NOT mention the number of children they anticipate accommodating at this facility. Without giving specific numbers, I am left to assume this is an extremely large daycare that will have a significant impact on traffic, as well as safety. There is a proposed deceleration lane to the north and from the south. However, does it does not make any accommodations for traffic making a very difficult left turn to the south leaving the facility. The city will end up putting a traffic light here, creating more congestion. Hazel Dell is far too busy for a daycare facility of this size emptying onto the street. The city

has already added a traffic light to accommodate foot traffic at the Midland Trace Trail. We must do better planning.

C) The details of this facility are lacking in architectural description. They are also lacking a description of the intended use of this facility, traffic impact, and light pollution. They do not have a detailed landscape plan other than stating there is one.

D) This facility will be the fourth daycare within a 2-mile radius. If the daycare is unsuccessful, we will be left with a large empty building in the middle of one of Noblesville's nicest communities.

E) Estimates are that property values will decrease by 25% if this facility is approved. I can tell you personally, my home is not increasing at the pace as comparable properties that exist just to the west in Westfield. Beazer homes are outpacing my higher quality Dree's home.

I strongly disapprove the rezoning of this property and will also be sending the same message to the planning commission.

Sincerely,

Margaret Fallin
5752 Haven Hurst Cove
Noblesville, IN 46062

Oksana Polhuy

From: PlanDept
Sent: Monday, July 1, 2019 9:59 AM
To: Oksana Polhuy
Subject: FW: 15720 Hazel Dell Rd rezoning

Categories: BZA

-----Original Message-----

From: Jenn Dettman <dettman1425@gmail.com>
Sent: Friday, June 28, 2019 8:28 AM
To: PlanDept <plandept@noblesville.in.us>
Subject: 15720 Hazel Dell Rd rezoning

I am a resident of the West Haven community just off of Hazel Dell Rd in the area near the proposed rezoning for a daycare center for 15720 Hazel Dell Rd. I am fiercely opposed to this & I am asking the board to deny the rezoning. We already have several good day care options in the area and another is not necessary. With the flow of traffic on Hazel Dell already being congested, this will lead to even more unnecessary traffic & congestion. The walking path that is in this area, which I use daily, would also become hard to pass in that section with the increased traffic going in and out of the facility. I would like to see Hazel Dell remain as residential only. Please vote NO to rezoning for this facility.

Thank you,
Jennifer Dettman
15172 Merritt Pass
Noblesville, IN 46062
317-652-0760

Sent from my iPhone

Oksana Polhuy

From: Jennifer Sochocki <jtazd94@sbcglobal.net>
Sent: Monday, July 1, 2019 8:03 PM
To: Oksana Polhuy
Subject: Re: 15720 Hazel Dell Parkway

Categories: BZA

Hi Oksana,

I appreciate the clarification between rezone and land use variance. I am still opposed to the land in that specific location to be used for a day/child care center, per my reasons in my previous email.

Thank you again for your time.

Kindly,
Jennifer Sochocki
15328 Evanston Close
Noblesville, IN 46062
317-514-3603

Sent from my iPhone

> On Jul 1, 2019, at 4:50 PM, Oksana Polhuy <opolhuy@noblesville.in.us> wrote:
>
> Ms. Sochocki,
>
> Thank you for your concern. In order for the letter to be added to the record for the Board of Zoning Appeals to consider, it needs to state your full name and address.
>
> Please note, that this is not a rezone, but a land use variance. If it was a rezone, then all commercial uses would be permitted. It is a land use variance for only one specific use: child care center. This is not to say that your concerns are any lesser, but I wanted to clarify the terms.
>
> Kind regards,
>
> Oksana Polhuy, Associate Planner
> Department of Planning and Development City of Noblesville
> 16 S. 10th Street, Suite 150
> Noblesville, IN 46060
> 317.776.6325
>
>
> -----Original Message-----
> From: Jennifer Sochocki [mailto:jtazd94@sbcglobal.net]
> Sent: Monday, July 1, 2019 4:09 PM
> To: Oksana Polhuy <opolhuy@noblesville.in.us>; Noblesville Common

> Council <NCC@noblesville.in.us>; Michelle Glodowski
> <mglodowski@noblesville.in.us>
> Subject: 15720 Hazel Dell Parkway
>
> Dear Noblesville City Leaders,
>
> I live in West Haven, just south of 157th Street & Hazel Dell. Recently posted on social media site, NextDoor, I learned about a request for rezone residential property for commercial property between Noble Crossing Pkwy/Midland and 161st Street.
>
> I oppose the requested variance to build a commercial daycare on this property. Surrounding this land is all residential homes, first of all. If one wants to build a daycare, recommend that the developer/buyer of open rental space at the NE corner of 146th St & Hazel Dell, that is already zoned commercial.
>
> SW Noblesville does not need an additional day care center offered. Noble Crossing Elementary, Venture Christian Church and The PlaySchool at Legacy all offer day care and preschool programs. All three locations are w/in 1-2miles of the proposed rezoning. If rezoned & the business fails, because of competition, this community will have a vacant building to worry about. Additional reasons I oppose the rezoning are: increased safety concerns for children & traffic. The business should move to the already appropriately designated commercial zoning area, about 1/2 mile to the south on the same road, 146th St.
>
> Thank you for your time,
> Jenny Sochocki
>
>
> Sent from my iPhone

TOWNS AT NOBLE WEST

Oksana Polhuy

From: Gwen Piening <gwencpiening@gmail.com>
Sent: Tuesday, July 2, 2019 4:06 PM
To: Oksana Polhuy
Subject: Leaf Spring School Variance

The Honorable John Ditslear
City of Noblesville
Noblesville, IN 46060

Dear Honorable Mayor Ditslear:

The Townes at Noble West, a 100-unit Condominium Community located on Hazel Dell Parkway, Noblesville, is in opposition to use a variance request to turn the land between Twin Oaks and East Haven (on Hazel Dell Parkway) from residential use to commercial use for a large commercial childhood center. The land is currently zoned for single-family residential. While childcare centers are needed for our area, neighbors believe this residential land is not the spot to develop a large commercial center.

The reasons for opposition are:

- 1) The property backs up to many residential homes, which will have 24-7 commercial lighting shining and excess noise from the playgrounds - the childcare center has a large indoor/outdoor campus which brings in over 300 kids a day
- 2) Property values could decrease due to the location and negative impact on the homes boarding the commercial property (one estimate is 25% decrease in value)
- 3) No traffic study has been done. With 113 parking spaces and over 300 children served, we will have increased congestion at the Twin Oaks Hazel Dell entrance (left turns are already significantly hindered) along with disruption to the smooth traffic flow we currently enjoy along that residential stretch from 156th to SR 32 with over 700 cars entering and exiting a day (including parents, full-time and part-staff during high traffic time periods) There are residential more communities going up now along Hazel Dell Parkway.
- 4) The land would be excavated to clear room for this large campus, depleting the existing mature trees
- 5) No environmental impact study has been done and there is a retention pond that collects water run-off, developing this land without addressing environmental impacts will result in flooding.
- 6) In-home day cares operating in Twin Oaks, East Haven and surrounding neighborhoods could potentially be put out of business with a large commercial childcare center directly bordering our neighborhoods

Suggest this commercial child care facility be constructed at SR 32 and Hazel Dell Parkway for the following reasons:

1. Zoned commercial and retail property available
2. Easily accessible for ingress and egress of traffic
3. In home daycare(s) would be able to stay in business
4. Beautiful foliage would be saved
5. No threat of flooding the environment

The Townes At Noble West strongly oppose the request to use a variance request to turn the land between Twin Oaks and East Haven (on Hazel Dell Parkway) from residential use to commercial and build a commercial facility.

Sincerely,

The Townes At Noble West
Gwen C. Piening, HOA President
5661 Castor Way
Noblesville, IN 46062

317-374-6882

gwencpiening@gmail.com

Steve Gentry, HOA Vice President
Karen Christensen, HOA Secretary
Teresa Holub, HOA Treasurer
Robert Campbell, HOA Member At-Large

OTHER COMMUNITIES

Robert A. Morris
5737 E. 156th St.
Noblesville, IN 46062

02 July 2019

City of Noblesville
Board of Zoning Appeals
16 S. 10th Street
Noblesville, IN 46060

Dear Board Members:

IN RE: BZNA-0078-2019 Think Holdings, LLC at 15720 Hazel Dell Road

By its' own admission, PlanNoblesville was the result of a great deal of hard work, time and money on the part of the City's staff, its' boards , commissions and elected officials, as well as professional consultants and many members of the community. The Plan has traditionally been viewed by one and all as the "Master Plan". Within it is written, *"The Comprehensive Plan is a legal document that serves as a decision-making guide for both officials and citizens."* The Plan sets out future land use for the Subject Property as mixed density residential; and is now zoned Suburban Residential; something which it has been since prior to the current owner gaining title.

The vast majority of the citizens in this area purchased their properties with the understanding and belief that what was set forth in the Comprehensive Plan would be carried out. For the BZA to pass this request for a change of use would be a slap in the face to the time and money invested in developing the Comprehensive Plan; and would say to the neighborhood residents that their interests, their voice, their votes, do not count.

The proposed use is for a pre-school, something which would come with lots of potential unintended and undesirable consequences. For instance, if the variance were to be approved, the neighborhood would see changes to traffic patterns, including motorists decelerating and turning off, more cars entering Hazel Dell, and maybe even a school speed zone. There would also come to be lighting, noises, and use patterns that are commercial and out of step with the residential neighborhood.

While the petitioners may be great people and run a quality operation, to evaluate this proposal based on the merits of LeafSpring is to miss the point. Approval of the variance could mean something way different from what LeafSpring is talking about. Let's think about this. They could go out of business for any number of reasons. The next recession could prove too much to handle, they could lack for customers, the key players could take ill or die, or any number of other situations which would force them to sell their business. Or they could just get a lucrative offer and move on. Any of these scenarios could result in a vastly different occupancy or use of the building. And rest assured if there is a vacant 22,000 square foot building there could be a buyer with totally different ideas about use and with a vacant building sitting there who knows what could get ok's?

Finally, if there was a huge need for this pre-school, then the Board meeting room would be filled with neighborhood residents clamoring for passage of the proposed variance. I'm betting that will not be the case. Far from it.

Follow the intent of the Comprehensive Plan--- deny this petition and maintain the residential character of Hazel Dell north of the commercial district at 146th Street.

Respectfully,

Robert A. Morris

Oksana Polhuy

From: Sk8ter Indy <gailking12345@gmail.com>
Sent: Tuesday, July 2, 2019 3:28 PM
To: Oksana Polhuy
Subject: Re: Leaf Spring School Variance

Categories: BZA

Gail King
14710 Scarborough Lane North
Noblesville, in 46062
317-341-2079

On Tue, Jul 2, 2019, 3:17 PM Oksana Polhuy <opolhuy@noblesville.in.us> wrote:

Hello,

In order for your concerns to be legally acceptable, you'd need to state your full name and address. Please, send me an updated letter with the full name and address.

Thank you,

Oksana Polhuy, Associate Planner

Department of Planning and Development

City of Noblesville

16 S. 10th Street, Suite 150

Noblesville, IN 46060

317.776.6325

From: Sk8ter Indy [mailto:gailking12345@gmail.com]
Sent: Thursday, June 27, 2019 10:35 AM
To: Oksana Polhuy <opolhuy@noblesville.in.us>
Subject: Leaf Spring School Variance

I am writing to you to voice my opposition to the above proposal. There is abundance of commercially zoned property at the corner of 146th and Hazel Del. This area was promised as the area's commercial zone 10 years ago. HOWEVER, it was never developed as promised. It's time the city fix that mess and not create another one at the gateway of Noblesville.

Gail King