



**NEW PUBLIC HEARINGS**

**#1 Application No. 0109-2022** Change of Zoning from “R1 Single-Family Residential” and “PB Planned Business” to “R5 Multi-Family Residential” and “PB Planned Business for approximately 34 acres and located adjacent to the southeast intersection of State Road No. 32 (Westfield Road) and Hazel Dell Road. Submitted by Secure Holdings, LLC (Owners’ Rep – Jim Adams), and Steven D. Hardin, Attorney

**#1A Application No. 0110-2022** Change of Zoning from “R5 Multi-Family Residential” and “PB Planned Business” to “R5-PB/PD Residential-Planned Business/Planned Development” to be known as “Midland Pointe Planned Development” for approximately 34 acres (12.5 commercial acres, 21.5 residential) including the adoption of the preliminary development plan, ordinance, and waivers for property located adjacent to the southeast intersection of State Road No. 32 (Westfield Road) and Hazel Dell Road. Submitted by Secure Holdings, LLC (Owners’ Rep – Jim Adams), and Steven D. Hardin, Attorney  
*Staff Reviewer – Joyceann Yelton*

Ms. Yelton states that Staff is requesting the items be continued until the October 24, 2022 Plan Commission meeting.

**Motion by Mr. Peterson seconded by Mr. Burtner to continue Applications No. 0109-2022 and Application No. 0110-2022 until the October 24, 2022 meeting. By a show of hands, the vote was 8 ayes, 0 nays and 0 abstentions.**

**#2 Application No. 0137-2022** Change of Land Use Category of “Commercial and Office” with a Subdistrict Overlay of “Interchange” for a portion of the 25.6 acres to a Land Use Category of “Multi-Family Residential” with a Subdistrict Overlay of “Mixed Residential” and a Land Use Category of Commercial with a Subdistrict Overlay of “Secondary Corridor” for property located southeast of Brooks School Road and south of East 141<sup>st</sup> Street. Submitted by MAB Capital Investments, LLC (Partner – Steve Ball); Edward Rose Properties, Inc. (Applicant – Steve Hormann), and Steven D. Hardin, Attorney

**#2A Application No. 0138-2022** Adoption of a planned development ordinance including zoning standards, signage, conceptual architectural plans, waivers, stipulations, and conditions for approximately 25.6 acres to be used for multi-family residential and commercial land uses including the subdistrict overlays of “Mixed Residential” and “Secondary Corridor”, respectively and located southeast of Brooks School Road and south of East 14<sup>th</sup> Street to be known as “The District at Hyde Park”. Submitted by MAB Capital Investments, LLC (Partner – Steve Ball); Edward Rose Properties, Inc. (Applicant – Steve Hormann), and Steven D. Hardin, Attorney  
*Staff Reviewer – Joyceann Yelton*

Ms. Yelton states the applications were filed in June and are now ready to move forward with the public hearing process. She states the property is located south of 141<sup>st</sup> Street and southeast of Brooks School Road to be extended between Boden Road and Marilyn Road and west of Brooks School Road at the round-about and contains approximately 25 acres. She states the site is a part of the larger project known as “Hyde Park”. She states as you may recall, approximately one year ago, Mr. Hardin attorney representing the developer presented an overall concept plan to the Plan Commission noting that it

would provide residential, commercial, office, and park land. She states it was also noted that as each project developed, it would be presented to the Plan Commission and the Council for approval. She states this is the second project to be presented. She states the two applications deal with a change of land use and the adoption of a preliminary development plan and ordinance. She notes this area is all a part of the overall Corporate Campus Planned Development zoning district or "CCPD". She states the first project submitted was from J. C. Hart and it is known as the "Towns & Flats at Hyde Park". She states this particular development is to be known as the "District at Hyde Park" with the residential portion of the development being constructed by Edward Rose Properties. She states Application No. 0137-2022 is a request to change the land use category of "Commercial and Office" and a subdistrict overlay of "Interchange" for the remaining acres to a land use category of "Multi-Family Residential" with a character overlay of "Mixed Residential" for the southern portion of the 25 acres and "Commercial" with a subdistrict overlay of "Interchange". She states the residential area comprises approximately 15 acres with the remaining 10 acres being used for commercial. Ms. Yelton states in order for this development to occur, the land use categories must be changed to allow these uses. She states Application No. 0138-2022 is for the adoption of a preliminary development plan and ordinance adopting the standards for these uses. She notes that the maximum density permitted for this type of residential development is between 14-20 units per acre. She states the residential developer's proposal includes multi-family units consisting of 1, 2, and 3 bedrooms to be developed by Edward Rose Properties. She states the commercial area will not be developed by Edward Rose Properties. She states access to the site will be from Brooks School Road with two ingress/egress points. Ms. Yelton states some of the features in this development include remote work hubs and huddle spaces within the clubhouse, a performance gym, a pool, pool deck, cabanas, aqua lounge and outdoor gathering spaces. She states there are several waivers being requested regarding this development as presented in the Staff Report and I will just provide a generalized summary: Commercial Area – minimum outlot size, lot width, building height, setback from adjacent residential, parking lot, and front yard; Residential Area – lot area, lot width, building height, floor area ratio, maximum lot coverage, reduction in landscaping requirements, elimination of pitched roofs; and Overall Plan – parking space size reduction in landscaping areas and peripheral buffer yard as all presented on the preliminary development plan. She states the Architectural Review Board did review the plans that were included in the packet and were approved. She states in the surrounding area are similar uses that are a part of the Saxony Corporate Campus and/or the Hamilton Town Center. Ms. Yelton states Brooks School Road is considered a primary arterial and the preliminary plans were reviewed by the Technical Advisory Committee. She asks if there are questions of Staff and notes that Mr. Hardin attorney representing the developer and others were present to further highlight the project.

Mrs. Albrechts-Cook asks if Staff is supportive of the number of waivers being sought.

Ms. Yelton states due to the uniqueness of the overall project (Hyde Park), each development will have its own set of waivers. She states if Staff is against a particular waiver, it is discussed in the Staff Report.

Mrs. Reed states that this is a project that has an economic development agreement adopted and is supported by the administration.

Mr. Steve Hardin, attorney representing the developer MAB Capital Investments and Edward Rose Properties, Inc. states this entire development has an economic development agreement for the entire 278 acres. He states at our neighborhood meeting, there was one gentlemen that attended and it was

held at the site that was very much in favor of the project. He states Edward Rose in only developing the residential portion of the site with MAB Capital Investments developing the commercial portion in the future. He states at this time, we do not have any specific tenants for the commercial area. He states we are continuing to work with the administration regarding those commercial uses. He states should we receive approval from the Council in the next months, we are targeting the construction beginning in first or second quarter of 2023. He asks for a favorable recommendation to the City Council for both applications.

Mrs. Albrechts-Cook states that you do not have any commercial tenants at this time.

Mr. Hardin states that is correct.

**Motion by Mrs. Rogers seconded by Mrs. Albrechts-Cooks to send a favorable recommendation for adoption to the City Council for the requested Change of Land Use Category from "Commercial" and "Office" with a subdistrict overlay of "Interchange" to a land use category of "Multi-Family Residential" with a character overlay of "Mixed Residential" (southern 15 acres) and a Land Use Category of "Commercial" with a subdistrict overlay of "Interchange" specifically as those areas are depicted on Exhibit 2 - Commercial Residential Allocation Map and as per the public hearing and Application No. 0137-2022.**

**AYES: Rogers, Albrechts-Cook, Dr. Forgey, Burtner, Peterson, Hanes, Sutton, Smith      NAYS: Zero  
ABSTENTIONS: Zero      Motion carries 8, 0, 0.**

**Motion by Mr. Peterson seconded by Ms. Hanes to send a favorable recommendation for adoption of the preliminary development plan and ordinance for 25.6 acres to be known as the "District at Hyde Park" for a "Multi-Family" land use and Subdistrict Overlay of "Mixed Residential" and "Commercial" land use with an overlay of "Interchange" as per the Staff Report for Application No. 0138- 2022 and the public hearing including the following waivers and stipulations:**

**Waivers**

**Commercial Area**

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

**Residential Area**

- g. Minimum lot area 2,200-SF (UDO minimum 3,000-SF)
- h. Minimum lot width 75-FT (UDO requires 150-FT)
- i. Maximum building height 55 -FT (UDO maximum 45-FT)

- j. Removal of the maximum permitted floor area ratio per unit
- k. Removal of the maximum lot coverage requirements
- l. Reduction in the landscaping requirements to meet what is indicated on the preliminary development plan.
- m. Elimination of pitched roofs

**Overall Plan**

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

**Stipulations**

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

**AYES:** Peterson, Hanes, Dr. Forgey, Burtner, Sutton, Albregts-Cook, Rogers, Smith      **NAYS:** Zero  
**ABSTENTIONS:** Zero      **Motion carries 8, 0, 0**

**#3 Application No. 0163-2022** Amendment to the Hamilton Town Center Planned Development Ordinance No. 39-08-07 regarding signs for "Total Wine" to be located at 13145 Levinson Lane. Submitted by Hamilton TC, LLC (Owners), and Professional Permits (Applicant - Garry Potts) *Staff Reviewer - Joyceann Yelton*

Ms. Yelton states that Staff was able to issue the sign permits so there is no need for any action to be taken by the Commission and requests that the item be dismissed.

**Motion made and seconded to dismiss Application No. 0163-2022. By a show of hands, the vote was eight (8) ayes, zero nays, and zero abstentions. Motion carries 8, 0, 0.**

**#4 Application No. 0170-2022** Adoption of a "Program of Signs" for the mixed use development known as "RiverWest Planned Development" located north of East 146<sup>th</sup> Street and west of River Road. Submitted by 146<sup>th</sup> and River Road Land, LLC (Tom Sardelli Rep - Owners/Applicants) *Staff Reviewer - Joyceann Yelton*

Ms. Yelton states the applicant has requested a continuance until the October 24, 2022 Plan Commission meeting.

**Motion by Mr. Peterson seconded by Mrs. Albrechts-Cook to continue Application No. 0170-2022 until the October 24, 2022 meeting. By a show of hands, the vote was 8 ayes, 0 nays and 0 abstentions. Motion carries.**

#### MISCELLANEOUS

**#5 Application No. 0177-2022** Order of the City of Noblesville Plan Commission Determining that a Resolution and Economic Development Plan for an Economic Development Area approved and adopted by the Noblesville Redevelopment Commission conforms to the Plan of Development for the City of Noblesville, Indiana and Approving the Resolution and Plan for Midland Pointe

*Staff Reviewer – Joyceann Yelton*

Ms. Yelton states the property is located south of State Road No. 32 and east of Hazel Dell Road and contains approximately 34 acres. She states the developer is proposing to create commercial and residential on this parcel. She states the Redevelopment Commission recently adopted a plan creating two allocation areas to be known as "Allocation Area No. 1 (Commercial) and Allocation Area No. 2 (Residential)". She states these allocation areas deal with the distribution of taxes collected on the real property. She states the Plan Commission's role is to determine that the proposed plan is aligned with the adopted comprehensive plan for the City. Ms. Yelton states the proposed uses of commercial and residential on this parcel adhere to the policies and goals of the 2020 Noblesville Comprehensive Plan as the land use map indicates the area as "Office/Commercial/Residential".

**Motion by Mr. Peterson seconded by Mr. Burtner to approve Plan Commission Resolution No. 03-2022 as the proposed land uses conform to the polices and goals of the 2020 Noblesville Comprehensive Plan.**

**AYES: Peterson, Burtner, Hanes, Dr. Forgey, Sutton, Albrechts-Cook, Rogers, Smith NAYS: Zero  
ABSTENTIONS: Zero Motion carries 8, 0, 0.** (PC Order NO. 03-2022 and RDC Resolution No. 2022-26 attached to minutes of 09-19-2022)

#### MISCELLANEOUS

There being no Miscellaneous Business, a motion was made for adjournment.

#### ADJOURNMENT

Meeting adjourned 6:39 PM

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N. Scott Smith Vice President

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Sarah Reed Acting Secretary