



PLAN COMMISSION STAFF REPORT

ITEM NO: 4 & 4A **APPLICATION NO.** 0164-2022 and 0165-2022

MEETING DATE: October 24, 2022

SUBJECT: Change of Zoning and Preliminary Development Plan

PETITIONER(S): MAB Capital Investments, LLC (Steve Ball – Owner Rep) and
Birkla Investment Group, LLC/Novo Development Group, LLC
(Applicants)

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

LOCATION: North and South of Campus Parkway and West of Boden
Road/Brooks School Road

WAIVERS REQUESTED: Refer to ordinance and Staff Report

RECOMMENDATION: Approval

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Planning Terms

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

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

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

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

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

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

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

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

Procedure

The application was filed on in May for a public hearing at the June 2022 Plan Commission meeting. The proposed change of zoning and preliminary development plan/ordinance is discussed at a Plan Commission Meeting where a public hearing is held. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed amendment. The Plan Commission then makes a recommendation to the Common Council for either adoption, denial, or amends the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation. The Council then hears the proposals, including the Plan Commission's recommendations at two separate Council meetings. At the final Council meeting the change of zoning and/or preliminary development t plan/ordinance is adopted, denied, or modified by the Council. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspaper and public hearing notices are sent to the surrounding property owners by certificate of mailing. Notices were sent to the surrounding property owners as required and publication in the newspapers.

Correspondence

Staff has not receive any inquiries on this application.

Summary

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

The property is located adjacent to the south and north sides of Campus Parkway and west of Boden Road/Brooks School Road. **(Exhibit 1 – Aerial Photograph)** The property is vacant/undeveloped and the developer is working towards the installation of infrastructure including pipes and roads in the Hyde Park overall area. The site contains approximately 9.5 acres. The Hyde Park Area is within the Corporate Campus Planned Development District (CCPD).

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

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

In the immediate area to the east is the Saxony Corporate Campus Planned Development that includes commercial, industrial and office uses; south is a portion of Hyde Park; west is part of the proposed Hyde Park Development and property owned by the City of Noblesville; and north is a part of the Hyde Park Development and other parcels owned by other individuals that are vacant. This particular development will be known as the "Gateway at Hyde Park".

Summary – Change of Land Use Classification and Subdistrict Overlay

The applicant is requesting a change of the existing land use category of "Commercial" and "Office/Flex with a subdistrict overlay of "146th Street Corridor" to a land use category of "Multi-Family Residential/Commercial" with a character overlay of "Mixed Residential". The current land use category does not permit residential uses. In order for the Plan Commission to consider the use as residential both the land use category and subdistrict must be changed. This area will still be zoned Corporate Campus Planned Development District. Portions of the property are located in the floodplain within the " Flood Hazard" district and would not reflect a change in land use unless a letter of map revision was sought through IDNR and FEMA. These particular properties are slightly within the floodway area but mostly in the floodway fringe. (Exhibit 2 – Floodplain Map)

Summary – Preliminary Development Plan and Ordinance

The applicants are proposed to develop the 9.5 acres with maximum of 236 units built in two phases. The ground floor of the both buildings will house commercial uses totaling approximately 30,000-SF. The upper three floors of both buildings will contain the apartments with the ground floor having commercial/office uses. The proposed development will consist of two phases. Phase one will house a two level parking structure concealed behind the building and the Phase 2 building will have a surface parking lot. Access to the site will be from Boden Road and Brooks School Road. The applicant is also proposing an extensive outdoor seating area for customers to enjoy the surroundings. Campus Parkway and those portions including Boden Road and Brooks School Road are maintained and controlled by County Highway. Landscaping hardscaping in this area will be very limited as it would be County Highway's jurisdiction and the applicant's are proposing a decorative concrete also in this area that will be more inviting for pedestrians to stroll and linger in the area. The amenity area will include an outdoor resort style pool, club room, fitness center, bike storage, co-workspace, and outdoor gathering spaces.. The maximum density for this development is 14 units per acre; however, based on the quality, affordability, and mix of product types as well as the preliminary development plan; the development could be approved for up to 20 units per acre. Parking has been provided for visitors to the site as well as they have met the minimum standards for their units. (Exhibit 3 – Preliminary Development Plan)

The applicants have present a sign package (Exhibit 4 – Sign Package) that includes awning signs (signs are proposed on top of a metal awning which does not meet our normal standards of the awning sign being canvas/cloth and only 20% of the area being signable thus exceeding size requirements); projecting signs for the commercial users exceeding the size requirements; the “D1 and D2” if either are located within the right-of-way of Campus Parkway, the City does not have jurisdiction however, if those are located within adjacent to certain portions of Boden Road and Brooks School Road, by ordinance those would be required to be a minimum of 10-FT behind the right-of-way. The sign package for this development is unique to the project and has Staff’s support with the conditions provided in the Staff Report.

Waivers being sought include:

1. Elimination of the peripheral buffer yard as per the preliminary development plan.
2. Reduction of 10-FT minimum setback for ground signs from the property lines.
3. Elimination of the UDO sign requirements and adoption of sign package.
4. Reduction of building base landscaping as per preliminary development plan.
5. Elimination of interior parking lot landscaping.
6. Reduction of minimum lot area per dwelling unit.
7. Allowance of maximum height at 63-FT
8. Elimination of floor area ratio
9. Reduction of front yard, side yard, and rear yard setbacks as reflected on the site plan.
10. Impervious surface maximum 80%

STIPULATIONS:

1. Landscape/Hardscape areas along Campus Parkway and those portions of Boden Road and Brooks School Road with Hamilton County Highway's jurisdiction will require approval of the detailed development plan by HC Highway prior to the release of any Improvement Location permits and/or Building permits.
2. All ground signs located within the jurisdiction of either the City and/or County will be subject to the vision corner clearance area and shall be approved by the Planning, City Engineering and/or County Highway departments prior to the issuance of any sign permits.
3. No building permits shall be issued in the Flood Hazard district until a Letter of Map Revision is approved by IDNR and FEMA.

Architectural Review Board

The ARB reviewed the elevations submitted for the project as per the submitted drawings. (Exhibit 5 – Building Elevations)

History 2000-2001 Adopted the Corporate Campus Planned Development District

Analysis Table

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

Attachments

- Exhibit 1** Aerial Photograph
- Exhibit 2** Floodplain Map
- Exhibit 3** Preliminary Development Plan
- Exhibit 4** Sign Package
- Exhibit 5** Building Elevations
- Exhibit 6** Proposed Planned Development Ordinance

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Recommendation

Staff believes that providing additional mixed/use residential/commercial in the area will help to foster "work-live-play" concept themes as existing in the immediate area are the Saxony Corporate Campus and the Hamilton Town Center that provide much commercial/retail uses to the area. Residential can only help to foster more growth in the surrounding areas. Staff supports both requests.

Rezoning Motions

1. Motion to approve the requested Change of Land Use Category from "Commercial" and "Office/Flex" to "Multi-Family/Mixed Use Commercial" and change of the subdistrict overlay from "Interchange" to "Mixed Use Residential" all within the Corporate Campus Planned Development District (CCPD) as per the presentation, staff report, and Application No. 0164-2022 and forward a favorable recommendation for adoption to the City Council.
2. Motion to deny the Change of Land Use Category and Subdistrict Overlay as requested per Application No. 0164-2022 and forward a do not adopt recommendation to the City Council. (LIST REASONS)
3. Motion to continue Application No. 0164-2022 until the November 21, 2022 meeting.

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Planned Development Motions

1. Motion to approve the requested Preliminary Development and Ordinance approval for 9.5 acres to be known as "Gateway at Hyde Park" for a "Multi-Family/Commercial" mixed use land use and Subdistrict Overlay of "Mixed Residential" as per the Staff Report for Application No. 0165- 2022 and the presentation and forward a favorable recommendation for adoption to the City Council with the following Waivers, Conditions, Stipulations:

Waivers

1. Elimination of the peripheral buffer yard as per the preliminary development plan.
2. Reduction of 10-FT minimum setback for ground signs from the property lines.
3. Elimination of the UDO sign requirements and adoption of sign package.
4. Reduction of building base landscaping as per preliminary development plan.
5. Elimination of interior parking lot landscaping.
6. Reduction of minimum lot area per dwelling unit.
7. Allowance of maximum height at 63-FT
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STIPULATIONS:

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 2. All ground signs located within the jurisdiction of either the City and/or County will be subject to the vision corner clearance area and shall be approved by the Planning, City Engineering and/or County Highway departments prior to the issuance of any sign permits.
 3. No building permits shall be issued in the Flood Hazard district until a Letter of Map Revision is approved by IDNR and FEMA.
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2. Motion to deny the request for a adoption of a preliminary development plan and planned development ordinance as per the presentation and Application No. 0165-2022 and forward a do not adopt recommendation to the City Council. (LIST REASONS)
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3. Motion to continue Application No. 0165-2022 until the November 21, 2022 meeting.