



PLAN COMMISSION STAFF REPORT

ITEM NO: 1 **APPLICATION NO. -** 0109-2022

MEETING DATE: November 21, 2022

SUBJECT: Change of Zoning

PETITIONER(S): Secure Holdings, LLC (Jim Adams, Rep) (Owners/Applicants)

SUMMARY: Request for a change of zoning

LOCATION: South of State Road No. 32 (Westfield Road) and east of Hazel Dell

WAIVERS REQUESTED: None

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.

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.

R1 Zoning District – The R1 zoning district was adopted to permit the establishment of moderate low density single-family residential areas that shall meet the minimum bulk standards of said district.

R5 Zoning District – The R5 zoning district was adopted to encourage the establishment of multi-family dwellings such as townhomes and apartments. This district should abut a major thoroughfare such as a collector and/or an arterial as specified by the adopted Thoroughfare Plan. This district shall be served by sanitary sewer and central water facilities of sufficient capacity and also meet the minimum bulk standards of said district.

PB Zoning District – The PB zoning district was adopted to encourage well-planned business uses with respect to a unified design, safe ingress-egress, adequate and properly located parking, service facilities and convenient and safe pedestrian accessibility and connectivity. This district also serves the motoring public with service/retail uses. The PB zoning district shall be permitted only along or at the intersection or major arterial roads as adopted in the Thoroughfare Plan. The bulk standards of said district shall also be met.

Procedure

The application was filed on in May for a public hearing at the July 18, 2022 Plan Commission meeting. This item has been continued each month as the developer has been modifying and obtaining additional information from outside agencies to present a final plan for adoption. The proposed change of zoning ordinance is discussed at a Plan Commission Meeting where a public hearing is held. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed amendment. The Plan Commission then makes a recommendation to the Common Council for either adoption, denial, or amends the applicants' proposal. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation. The Council then hears the proposals, including the Plan Commission's recommendations at two separate Council meetings. At the final Council meeting the change of zoning and/or preliminary development plan/ordinance is adopted, denied, or modified by the Council.

Prior to the public hearing before the Commission, a published legal notice is advertised in the newspaper and public hearing notices are sent to the surrounding property owners by certificate of mailing. Notices were sent to the surrounding property owners as required for this November meeting and publication in the newspapers was previously provided.

Correspondence

Staff has not received any inquiries on this application.

Summary

The property is located adjacent to the southeast intersection of State Road No. 32 (Westfield Road) and Hazel Dell Road. (Exhibit 1 – Aerial Photograph) The property is mostly vacant/undeveloped except for a couple residential structures and accessory buildings on the 34 acres. The applicant is proposing to rezone approximately 12 acres to “PB Planned Business” zoning district located adjacent to State Road No. 32 (Westfield Road). The remaining 22 acres is proposed to be “R5 Multi-Family Dwellings” for the eventual construction of townhomes adjacent to the “Midland Trace” trail.

In the immediate area to the east is established single-family dwellings that were constructed in the mid 1950’s to the early 1960’s, south is the “Midland Trace” trail and scattered site residential; west (across Hazel Road) are scattered site residential and agricultural uses; and north of State Road No. 32 is the “Promenade Planned Development” that has both residential and commercial uses. The total property has both residential and commercial zonings (Exhibit 2 – Zoning Map); however, with the proposed change of zonings those areas will be redefined.

The Comprehensive Plan shows the area at the corner being “Commercial- Neighborhood”. This particular node service a smaller geographic area by providing smaller scale retail services to the neighborhood that could include dry-cleaners, grocery store, and dining establishments. The remainder of the property is a node of “Mixed Residential” and encourages a variety of housing types with accompanying mixed-use retail and offices located adjacent to the intersections and corridors. Scale and building heights are dependent on the surrounding context but can range from 1-5 stories in height. The mixed residential neighborhoods are highly walkable and are adjacent to recreational activities.

This has also been a project that has support of the Administration and has a development agreement through the Economic Development Department. Due to the time constraints of modifying their proposed plan, there was insufficient time for review by Staff, to include the INDOT right-of-way proposal on the plan set. By moving forward with the change of zoning request, we are providing some assurances that we support this development.

History This particular site has previously contemplated developments; however, those have never fully been implemented.

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 – Neighborhood and Mixed Residential</i>	<i>Reference body of Staff Report</i>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>State Road No. 32 and Hazel Dell Road (Primary Arterial)</i>	<i>A major road that is a traffic movement corridor that is indicative of interstate travel or connects major population centers and serves major center of activity with the highest traffic volumes.</i>
<i>Environmental and Utility Considerations</i>		<i>None at this time</i>
<i>TAC Comments</i>		<i>Preliminary Review</i>

Attachments

- Exhibit 1** Aerial Photograph
- Exhibit 2** Zoning Map
- Exhibit 3** Proposed Rezoning Ordinance

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Recommendation

Staff believes based in the comprehensive master plan proposed land use nodes and the adopted thoroughfare plan the requested change of zonings meet the intent. It may also foster a live-work-play community for this area and provides a walkable community adjacent to the "Midland Trace" trail. Introducing more residential to the area will only help to foster more growth in the surrounding areas. Staff supports the change of zoning requests. This proposed development is adjacent to the intersection of two major roadways as per the Thoroughfare Plan and per the zoning district definitions.

Motions

1. Motion to approve the requested Change of Zoning from "R1 Single-family Residential and PB Planned Business" to "R5 Multi-Family Residential and PB Planned Business" zoning districts for approximately 34 acres as per the presentation, staff report, and application No. 0109-2022 and forward a favorable recommendation for adoption to the City Council.
2. Motion to deny the Change of Zoning for the 34 acres as requested per Application No. 0109-2022 and forward a do not adopt recommendation to the City Council. **(LIST REASONS)**
3. Motion to continue Application No. 0109-2022 until the December 12, 2022 meeting.

