



## PLAN COMMISSION STAFF REPORT

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**ITEM NO:** 5 **APPLICATION NO. - 0243-2022**

**MEETING DATE:** January 17, 2023

**SUBJECT:** Amendments Planned Development

**PETITIONER(S):** Noblesville Redevelopment Commission (Owners) and Indiana Joint Replacement Institute (Applicants)

**SUMMARY:** Amendment to adopted Corporate Campus Planned Development District Standards

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

**WAIVERS REQUESTED:** Reference Staff Report

**RECOMMENDATION:** Approval

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## Planning Terms

*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.

*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 parcels of land controlled by a single-owner to be development as a single-entity. The area of land may include residential, commercial, and/or industrial uses that are planned and developed as a whole according to the adopted Preliminary Development Plan and ordinance that establishes more flexible standards that those that would apply is a specific zoning district.

*Corporate Campus Planned Development District* - encourages economic development activity and high quality, well-integrated development providing a broad range of uses, thus expanding the employment opportunities and enhancing the tax base.

## Procedure

The application was filed on in November for a public hearing at the January 17, 2023 Plan Commission meeting. The proposed adoption of waivers 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 project. 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 and/or stipulations 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 the preliminary development plan and ordinance are 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 January 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 south of E. 141<sup>st</sup> Street just east of the roundabout at Olio Road, north of BorgWarner and a part of the Corporate Campus Planned Development District. (Exhibit 1 – Aerial Photograph) The property consists of approximately six acres and is undeveloped except for the detention pond that exists on the parcel on the western portion. The applicants are proposing to construct a new ambulatory surgery center with a medical and conference center. It is a two story building consisting of approximately 37,500-SF. Access to this site will be from BorgWarner Drive. This use is permitted in the Corporate Campus Planned Development District within the land use category and the subdistrict overlay of “view corridor”. (Exhibit 3 – Development plan/landscaping plans)

In the immediate area to the east along both sides of East 141<sup>st</sup> Street it is currently used as agricultural land, south is BorgWarner and Interstate 69 and the City of Fishers, north is mostly agricultural used land with two single-family residences and west of Olio Road is the Saxony Corporate Campus Planned Development District that consists of uses such as hotels, conference center, and restaurants. (Exhibit 2 – Zoning Map)

The Comprehensive Plan shows the area at the corner being “Innovation/Flex MU”. This particular node is considered a part of the “employment districts” and would include assembly facilities, research and design labs, technology, maker spaces, small food distribution, flex office/commercial areas are the predominant uses.

This application has been reviewed by the Technical Advisory Committee and it was during this review that Staff discovered the waivers being sought from the applicants. This proposal also has the support of the Administration and Economic Development.

### WAIVERS

1. The front yard setback along E. 141<sup>st</sup> Street is 75-FT. *When the update occurred to our Thoroughfare Plan in 2021, the classification of E. 141<sup>st</sup> Street changed from a Collector to a Primary Arterial. The setback for the type of roadway is different for each classification mentioned. The collector allowed a 25-FT setback and it was also platted with the 25-FT setback. Staff supports the reduction of the front yard building setback to the 25-FT as the City caused the issue with the reclassification of 141<sup>st</sup> Street.*

2. The landscape buffer along E. 141<sup>st</sup> is 40-FT. *If the front yard setback waiver is granted there is no way to provide a 40-FT landscape adjacent to E. 141<sup>st</sup> Street. Staff supports the reduction of the landscape buffer due to the fact it is impossible to provide based on the approval of reduction for the front yard setback. Again, this comes about with the reclassification of the roadway.*
3. Trash receptacle/generator enclosures shall not be located in front of any building adjacent to a collector, arterial, or expressway or adjacent to any residential use. It requires evergreen understory trees at 3-FT on center at a minimum height of 6-7 feet. *The enclosures are located adjacent to E. 141<sup>st</sup> Street approximately 25-FF behind the property line. The applicant is proposing 24-inch shrubs along the enclosures. Staff cannot support the enclosures in this area, if only 24-inch shrubs are being provided. Petitioners should come prepared to discuss alternatives.*
4. Parking islands are to be a minimum size of 240-SF. *The applicant is proposed 180-SF parking islands. The Corporate Campus Planned Development (CCPD) district requires larger parking islands due to the CCPD, intended for much larger uses thus setting minimum building size standards. Staff can support the waiver due to the fact that approximately 40% of the total land area is encompassed by the detention pond as there is a minimum lot area of 5 acres; however, it does not speak to detentions being a part of that total acreage. As this is drainage pond is for the Corporate Enterprise Planned Development area and we are slight on the infrastructure uses on the lot, Staff is supportive of this waiver.*
5. The View Corridor subdistrict that regulates architecture, bulk standards etc., required a minimum building footprint of 40,000-SF. *The applicant is providing a 37,500-SF building on approximately 3.7 acres of building site, it is relevant based on the parcel size and required bulk standards to allow the reduction of 2,500-SF. Staff supports.*
6. As for the landscaping (Refer to calculations on next page)

| SUBDISTRICT ZONING VIEW CORRIDOR |   | REQUIRED  | PROPOSED  |
|----------------------------------|---|---|---|
| Sec. 8                           | PARKING LOT INTERIOR<br>10% OF PARKING AREA<br>=6,9140 sf<br>1 TREE/120 sf<br>1 SHRUB/25 sf   | 6,914 sf<br>58 TREES<br>277 SHRUBS  | 8,132 sf<br>29 TREES<br>185 SHRUBS  |
| Sec. 8                           | BUILDING FOUNDATION (552')<br>1 ORNAMENTAL TREE/20' FACADE<br>1 SHRUB/3' FACADE   | 28 TREES<br>184 SHRUBS  | 7 TREES<br>186 SHRUBS   |
| Sec. 8                           | PARKING LOT SCREENING<br>10' WIDTH @ R.O.W./5'WIDTH @<br>REAR & INTERIOR SIDE YARDS<br>2 CANOPY TREES/100 LF<br>33 SHRUBS/100 LF<br>NORTH PARKING - 54'<br><br>EAST PARKING - 121'<br><br>SOUTH PARKING - 273'<br>(INCLUDED FOR SCREENING PURPOSES)<br><br>WEST PARKING* - 246' | 1 TREE<br>18 SHRUBS<br><br>3 TREES<br>56 SHRUBS<br><br>5 TREES<br>90 SHRUBS<br><br>3 TREES<br>40 SHRUBS | 1 TREE<br>18 SHRUBS<br><br>3 TREES<br>56 SHRUBS<br><br>11 TREES<br>115 SHRUBS<br><br>3 TREES<br>40 SHRUBS |
| Sec. 8                           | PERIMETER SITE BUFFERYARD<br>ADJACENT TO R.O.W. 25' WIDTH<br>ADJACENT TO SIMILAR 15' WIDTH  | 25' WIDTH<br>15' WIDTH  | 25'<br>15'  |
|                                  | *PARKING SCREEN PROVIDED AT 50% NOT ADJACENT TO<br>PUBLIC RIGHT-OF-WAY  |   |   |

*As presented by the landscaping plans and the numbers there has been some shifting of trees and shrubs to meet the intent of the ordinance, Staff supports the plans as submitted.*

History      2002 Adoption of the Corporate Campus Planned Development District

**Analysis Table**

| Item   | Description  | Analysis   |
|--|--|--|
| <i>Surrounding Land Uses</i>                         | <i>North – Vacant/agricultural land<br/>South – BorgWarner, Interstate 69, City of Fishers<br/>East – Saxony Corporate Campus – Hotels, restaurants, conference center<br/>West – Vacant/agricultural land</i> | <i>The surrounding land uses are vacant and a part of the overall Corporate Campus Planned Development or have uses that are considered compatible with the proposed use.</i>                              |
| <i>Comprehensive Master Plan and Future Land Use</i> | <i>Innovation Flex MU</i>  | <i>Reference body of Staff Report</i>  |
| <i>Traffic Circulations and Thoroughfare Plan</i>    | <i>141<sup>st</sup> Street, Olio Road (Primary Arterials)</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**      Submitted plans

**Recommendation**

Staff believes based in the comprehensive master plan land use nodes that this project meets the intent including the land use district and subdistrict of the Corporate Campus. Staff supports the requests for waivers.

**Motions**

1. Motion to approve the requested waivers as listed on pages 3 and 4 of the Staff Report for the construction of an ambulatory surgery center as per the presentation, staff report, and application No. 0243-2022 (including any additional stipulations/conditions as per the Plan Commission) 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. 0243-2022 and forward a do not adopt recommendation to the City Council. **(LIST REASONS)**
  
3. Motion to continue Application No. 0243-2022 until the February 21, 2023 meeting.