



Common Council

Agenda Item

Cover Sheet

MEETING DATE: March 12, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

ITEM or ORDINANCE: #3

PRESENTED BY: Joyceann Yelton, Attorney Matt Skelton

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

Executive Summary

Star Brick Village Planned Development

Northeast corner Howe Road and East 146th Street

LOR Corporation, Southeastern, The Kroger Co. and David Weekley Homes are pleased to present Star Brick Village, a mixed use development proposed on 71.5 acres at the northeast corner of Howe Road and East 146th Street. Star Brick Village will include a Kroger Marketplace anchored neighborhood hub, providing locations for several new businesses, and a new David Weekley Homes neighborhood. The David Weekley plan includes 98 well-appointed single-family homes.

Members of the development team have worked with the City to ensure the best location for this development and have created a design that will be a very welcomed and transformational addition to Noblesville's Corporate Campus.

Star Brick Village will be a vibrant shopping destination. The heart of the center will include an expansive Kroger Marketplace grocery store offering a vast selection of groceries, organic produce, Murray's Cheese, Starbucks and a deli that tempts taste buds with its delectable array of cheese and freshly prepared meals. In addition, a fuel center, retail shops and restaurants will provide an array of neighborhood and local uses that will serve the residents and thriving businesses that surround the site, offering a well-curated mix of retail, dining, and community spaces.

The newest neighborhood by David Weekley Homes in Noblesville, balances new construction of 98 single-family homes with a focus on preserving the existing community's charm and character. David Weekley intends to maintain the existing pond and add thoughtfully designed walking trails to complement and enhance its overall appeal. The David Weekley residential section represents thoughtful growth, where quality and value are emphasized, creating a harmonious balance for residents seeking enhanced living experiences with easy access to the Marketplace, restaurants and neighborhood services.

The Star Brick Village Planned Development proposal falls under the Corporate Campus Planned Development zoning designation. The north portion of the development, currently owned by Noblesville Schools, is presently located within a Governmental Use Overlay in a subdistrict of Industrial, proposed to be changed to Single-Family Residential. The subdistrict of the south portion of the development is Office/Flex, proposed to be changed to Commercial. Pedestrian accessibility to existing development will be provided. The Star Brick Village PD is located within a very challenging area for drainage and the developers have all worked extensively to ensure drainage issues are resolved in order to allow both sites to be developed.

This proposal is consistent with Noblesville's Comprehensive Plan. The Land Use element of that Plan shows the south portion of this property as Innovation/Flex Mixed Use which foresees, among other uses, retail that is compatible to the surrounding neighborhood and commercial development. The north portion of the property is identified as Residential in the Plan. With SMC Corporation to the west, Brighton Knoll subdivision to the north and Promise Road Elementary to the east, and the future Bastian Solutions site to the south, Star Brick Village will be a welcome enhancement to this area of the City.

Development of this proposal is planned for Summer 2024. Thank you for your consideration. We look forward to working with the City of Noblesville as we move forward.

ORDINANCE NO. ##-##-24

AN ORDINANCE CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA, AND THE ADOPTION OF A PRELIMINARY DEVELOPMENT PLAN

Document Cross-Reference No: 2003105715 & 2023023805

This Ordinance (the “146th/Howe Road PD Ordinance”) amends the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana No. 62-12-95 (the “UDO”) enacted by the City of Noblesville (the “City”) under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Advisory Plan Commission of the City of Noblesville (the “Plan Commission”) has conducted a public hearing on Application No. LEGP-####-2024 at its March 18, 2024 meeting as required by law in regard to the application (the “Petition”) filed by LOR Promise, LLC (the “Developer”) concerning a change of zoning of property described in Exhibit A-1 attached hereto (the “**Residential Real Estate**”), Exhibit A-2 attached hereto (the “**Commercial Real Estate**”), and Exhibit A-3 (the “**Combined Real Estate**”), containing 71.55 acres and the adoption of a preliminary development plan depicted in Exhibit B attached hereto, to be known, collectively, as “Star Brick Village Planned Development”, as further described in Section 3 below (the “Plan”); and,

WHEREAS, the Advisory Plan Commission has sent a favorable recommendation for adoption of said amendment with a vote of _____ ## _____ AYES and _____ ## _____ NAYS to the Common Council;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance, is hereby amended as follows:

Section 1. Applicability of Ordinance

- A. Development in this District shall be governed entirely by (i) the provisions of this 146th/Howe Road PD Ordinance and its exhibits, and (ii) those provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Mixed Residential Subdistrict and Commercial Subdistrict, except as modified, revised, supplemented or expressly made inapplicable by the Ordinance (collectively, the “Governing Standards”).
- B. All provisions and representations of the UDO that conflict with the provisions of this 146th/Howe Road PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this 146th/Howe Road PD Ordinance.

Section 2. Permitted Uses. The uses permitted in UDO Appendix D shall apply.

Section 3. Preliminary Development Plan.

- A. What is attached hereto as **Exhibit B** shall be referred to as the “Preliminary Development Plan”. Full sized, scale development plans are on file with the City’s Planning and Development Department with the attached Exhibit B being a general representation of the complete set.
- B. The Preliminary Development Plan is hereby incorporated herein and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.

Section 4. Waivers

A. Residential Bulk Standards. The bulk requirements of UDO Article 8.E.4.B.2.a. shall apply except as noted below:

Product Type	50 foot lots
Overall Maximum Density	3.5 units/acre
Minimum Lot Width	50'
Maximum Number of Lots	99
Minimum Lot Area	6,500 s.f.
Maximum Building Height	35'
Minimum Front Setback	25'
Minimum Side Setback	5'
Minimum Rear Setback	20'
Minimum Floor Area per unit One-Story	1,500 s.f.
Minimum Floor Area per unit Two-Story	1,600 s.f.
Perimeter Site Buffering - Internal	20 feet

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B. Commercial Bulk Standards. The bulk requirements of UDO Article 8.E.4. shall apply except as noted below:

Commercial Standards	UDO citation	PD standard
Minimum Building Size	Table 8.E.4 - 40,000 square feet	2500 square feet
Minimum Building Height	Table 8.E. 4 - 24 feet	12 feet
Perimeter Site Buffering - Internal	Article 8.E.8.B.6. - 40 feet	10 feet
Building Foundation Landscaping	Article 8.E.8.B.3. - 40 feet with plantings	none
Architecture	Article 8.E.5.B.8. – pitched roof required	Flat roof for fuel canopy
Architecture	Article 8.E.5.C.2.d. – CMU prohibited	CMU permitted
Designation Signs	Article 8.E.7.D.1.b. - 1 per street frontage	5 total
Wall Signs	Article 8.E.7.A.6. – maximum 500 s.f.	525 square feet
Directional Signs	Article 8.E.7.A.8. – maximum 3 feet high	Maximum 4 feet high
Signs - General	Article 8.E.7.A.9. – Color limited to black and white plus one additional color	No color limit
Front Setback	Article 8.E.4. – 50 feet	20 feet for parking
Side and Rear Setback	Article 8.E.4. – 25 feet	0 feet for parking
Peripheral Yard	Article 8.H.3.F.2. - 50 feet	20 feet

Section 5. Architectural Standards. Architectural standards for the District are described in Exhibit C, attached hereto.

Section 6. Landscaping Standards.

A. Perimeter buffer yards shall be a minimum of 20 feet in width.

B. The requirements of Article 8.E.8. of the UDO shall not apply. Instead, landscaping and screening shall be substantially similar to that which is shown in the Landscape Plan of the Preliminary Development Plan.

Section 7. Sign Standards. The requirements of UDO Article 11 shall apply except that the number of Integrated Development Signs per street frontage shall be as shown on the Preliminary Development Plan.

Section 8. Detailed Development Plan. Approval of a Detailed Development Plan (“DPP”) shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning shall approve Minor Changes; and (ii) if a DPP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DPP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, Part E, Section 4 of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DPP, in accordance with Article 5, Part B, Section 3 of the UDO.

Section 9. Effective Date. This 146th/Howe Road PD Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

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Approved on this _____ day of _____, 2024 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	Dave Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this _____ day of _____, 2024 at _____ .M.

 Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

Chris Jensen, Mayor

Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: _____
Evelyn L. Lees, City Clerk

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Matthew S. Skelton
Printed Name of Declarant

Prepared by Matthew S. Skelton, Church Church Hittle & Antrim, 2 North 9th Street, Noblesville, IN 46060
317.773.2190

EXHIBIT A-1

Legal Description – Residential Real Estate

THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE IN TRACT 1 AND TRACT 2 THAT FALLS WITHIN SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA:

TRACT 1

A PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST AND A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 166.57 FEET ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 304.12 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 669.02 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 470.69 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ON THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 37 MINUTES 32 SECONDS EAST 659.22 FEET TO A MAG NAIL AT THE NORTHEAST QUARTER OF THE WEST HALF OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 1221.90 FEET ALONG THE EAST LINE OF SAID WEST HALF TO A MAG NAIL; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 412.00 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 00 DEGREES 15 MINUTES 42 SECONDS EAST 188.25 FEET TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 2218.80 FEET TO A MAG NAIL ON THE WEST LINE OF THE EAST HALF OF THE SOUTH EAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1237.01 FEET MORE OR LESS TO A MAG NAIL THAT BEARS SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST FROM THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 55 MINUTES 14 SECONDS EAST 1308.37 FEET TO THE POINT OF BEGINNING. CONTAINING 70.9530 ACRES, MORE OR LESS.

TRACT 2

(DESCRIPTION OF "GAP" IN DESCRIPTIONS)

A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA, BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE 5/8" IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST (ASSUMED BEARING) 165.00 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE SOUTH 00 DEGREES 19 MINUTES 33 SECONDS EAST 1.57 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 55 MINUTES 14 SECONDS WEST 1308.37 FEET PARALLEL WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER TO THE WEST LINE OF THE EAST OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 31 MINUTES 18 SECONDS WEST 1.57 FEET ALONG THE WEST LINE OF SAID EAST HALF TO A MAG NAIL; THENCE NORTH 89 DEGREES 55 MINUTES 14 SECONDS EAST 1308.38 FEET TO THE POINT OF BEGINNING, CONTAINING 0.047 OF AN ACRE MORE OR LESS.

EXHIBIT A-2

Legal Description – Commercial Real Estate

A PART OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA DESCRIBED AS FOLLOWS:

COMMENCING AT A MAG NAIL AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 18 NORTH, RANGE 5 EAST; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 43.77 FEET ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE NORTHERLY RIGHT OF WAY LINE OF 146TH STREET AS ESTABLISHED BY INSTRUMENT #200600019573, SAID 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING ALSO BEING THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 00 DEGREES 19 MINUTES 33 SECONDS WEST 1198.88 FEET, MORE OR LESS, ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER TO A 5/8" IRON ROD WITH CAP AT THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH LINE OF A 70.9530 ACRE TRACT OF REAL ESTATE DESCRIBED IN INSTRUMENT #200300105715; THENCE SOUTH 89 DEGREES 54 MINUTES 55 SECONDS WEST 1244.14 FEET TO A 5/8" STEEL REBAR WITH A YELLOW CAP STAMPED "MILLER SURVEYING" ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD PER INSTRUMENT No. 20100013614; THENCE ON SAID EAST RIGHT OF WAY LINE SOUTH 00 DEGREES 31 MINUTES 18 SECONDS EAST 539.42 FEET; THENCE SOUTH 89 DEGREES 23 MINUTES 25 SECONDS EAST 2.08 FEET TO A CONCRETE RIGHT OF WAY MARKER ON THE EAST RIGHT OF WAY LINE OF HOWE ROAD AS ESTABLISHED BY INSTRUMENT #200600019573 (SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 89 DEGREES 29 MINUTES 34 SECONDS EAST 60.00 FEET FROM STATION 26+00.00 ON LINE S- 2-B (THE RECONSTRUCTED CENTERLINE OF HOWE ROAD) AS REFERRED TO IN THE RIGHT OF WAY PARCEL PLAT RECORDED IN SAID INSTRUMENT #200600019573. THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECONDS EAST 152.00 FEET ALONG SAID EAST RIGHT OF WAY LINE AND PARALLEL WITH SAID LINE S-2-B TO THE BEGINNING OF THE LIMITED ACCESS RIGHT OF WAY FOR HOWE ROAD; THENCE SOUTH 00 DEGREES 30 MINUTES 26 SECOND EAST 300.00 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY LINE TO A 5/8" IRON ROD WITH YELLOW CAP STAMPED MILLER SURVEYING; THENCE SOUTH 47 DEGREES 30 MINUTES 22 SECONDS EAST 80.85 FEET ALONG SAID LIMITED ACCESS RIGHT OF WAY TO A CONCRETE RIGHT OF WAY MARKER ON THE NORTHERLY LIMITED ACCESS RIGHT OF WAY LINE FOR 146TH STREET, SAID CONCRETE RIGHT OF WAY MARKER BEING NORTH 03 DEGREES 28 MINUTES 44 SECONDS EAST 6105.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE RIGHT; THENCE SOUTHEASTERLY 717.62 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY FOR 146TH STREET AND ALONG SAID CONCRETE RIGHT OF WAY MARKER BEING SOUTH 10 DEGREES 12 MINUTES 50 SECONDS WEST 5895.00 FEET FROM THE RADIUS POINT OF A CURVE TO THE LEFT; THENCE SOUTHEASTERLY 450.69 FEET ALONG SAID NORTHERLY LIMITED ACCESS RIGHT OF WAY AND ALONG SAID CURVE TO THE LEFT TO A CONCRETE RIGHT OF WAY MARKER AT THE TERMINUS OF SAID LIMITED ACCESS RIGHT OF WAY; THENCE SOUTHEASTERLY 26.38 FEET ALONG SAID NORTHERLY RIGHT OF WAY LINE OF SAID 146TH STREET AND ALONG SAID CURVE TO THE LEFT OF THE POINT OF BEGINNING, CONTAINING 31.75 ACRES, MORE OR LESS.

EXHIBIT A-3

Legal Description – Combined Real Estate

THAT PORTION OF THE FOLLOWING DESCRIBED REAL ESTATE IN TRACT 1 AND TRACT 2 THAT FALLS WITHIN SECTION 17 TOWNSHIP 18 NORTH RANGE 5 EAST LOCATED IN NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA:

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TRACT 3

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EXHIBIT C
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Architectural Standards

Architectural Standards - Single Family Attached Residential			50' Lot Homes
General/ Miscellaneous	Floor Area/Dwelling Unit (Minimum)	One Story	1,500SF
		Two Story	1,600SF
	Lot Coverage (maximum)		N/A
	Building Height (Maximum)		35'
	Corner Breaks (Minimum)	Primary Architectural Plane	2
		Secondary Architectural Plane	0
	Porch	Required	Y
	Address Block Required		Y
Allowable Foundation Type	Slab	Y	
	Basement	Y	
Materials	Masonry Percentage (Minimum)	Primary Architectural Plane	10%
		Secondary Architectural Plane	NA
		Chimney	N
	Approved Materials (Non Masonry)	Fiber Cement Board	Y
		Stucco	N
		Wood	Y
		Vinyl	N
Aluminum	N		
Roof	Roof Pitch (Minimum)	Primary Ridge	6:12
	Roof Ridgelines (Minimum)	Two-Story	2
	Roof Overhang (Minimum)	All Architectural Planes	8"
	Allowable Vent Location (Roof)	Primary Architectural Plane	Y
		Secondary Architectural Plane	Y
Windows	Window Size (minimum)	Standard Window	8SF
		Accent Window	4SF
	Number of Windows (Minimum)	Primary Architectural Plane	3
		Secondary Architectural Plane (side)	2
		Secondary Architectural Plane (rear)	2
	Window Treatment Required	Primary Architectural Plane	Y
Secondary Architectural Plane		N	
Garage	Garage Location	Primary Architectural Plane	Y
	Garage Door Percentage (Maximum)	Two-Story	50%

Additional Commitments:

1. 12-inch overhang required for non-masonry areas; otherwise, it is an 8-inch minimum adjacent to masonry.
2. Decorative garage doors (front load products).
3. If masonry does not meet the standards adopted, then three building materials must be provided per structure.

EXHIBIT C
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Building Elevation Exhibits



EXHIBIT C
(page 3 of 7)

Building Elevation Exhibits



EXHIBIT C
(page 4 of 7)

Building Elevation Exhibits



EXHIBIT C
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Outlot Character Exhibits



EXHIBIT C
(page 7 of 7)
Outlot Character Exhibits

