

The Noblesville Plan Commission met in regular session on Tuesday, February 20, 2024 at 6:00 PM in the City Council Chambers. Members in attendance were as follows:

N. Scott Smith, Vice President – Citizen Member

Dave Burtner – Jurisdictional Member

Steve Cooke – Citizen Member

Mike Davis – Council Representative

Gretchen Hanes, Board of Public Works Representative

Jim Hellmann – Assistant City Engineer

Angie Sutton – Park's Board Representative

Adriann Young – Jurisdictional Member

Absent: Malinda Wilcox, President – Citizen Member

Dr. Joe Forgey – Citizen Member

Anita Rogers – Citizen Member

Others in attendance: Planning and Development Director/Secretary, Caleb P. Gutshall; Development Services Manager, Joyceann Yelton; and Acting Plan Commission Attorney, Tyler Ochs

Vice President Smith calls the meeting to order at 6:00 PM.

OPENING CEREMONIES

Vice President Smith leads the Plan Commission in the Pledge of Allegiance.

OATHS OF OFFICE

City Clerk, Evelyn L. Lees administers the Oaths of Office for Mike Davis, Gretchen Hanes, Angie Sutton, and Adriann Young.

DETERMINATION OF A QUORUM

Mr. Caleb Gutshall, Plan Commission Secretary commences with the roll call and declares a quorum with eight (8) members present.

MINUTES

Ms. Yelton states that the first paragraph in the October minutes states the Plan Commission met in September that should have been the October 23, 2023 meeting date.

Motion by Mr. Burtner seconded by Mr. Smith to approve the October 23, 2023 minutes as corrected.

AYES: Burtner, Smith, Cooke, Hellmann, Hanes, Sutton NAYS: Zero ABSTAIN: Davis, Young

Motion carries 6, 0, 2.

There was an insufficient number of members present to approve the December 11, 2023 minutes. Those will appear on the March 18, 2024 meeting agenda.

ELECTION OF PRESIDENT AND VICE PRESIDENT FOR YEAR 2024

Mr. Burtner nominates Ms. Hanes to serve as President seconded by Mr. Smith. Nominations were closed. By a show of hands, the vote was 8, 0, 0.

Ms. Hanes nominated Mr. Smith to serve as Vice-President seconded by Mr. Cooke. Nominations were closed. By a show of hands, the vote was 8, 0, 0.

ARB REPRESENTATIVE

Ms. Hanes and Mr. Burtner agreed to serve as representatives of the Architectural Review Board for 2024.

INNOVATION MILE REVIEW COMMITTEE

Ms. Hanes and Mrs. Sutton agreed to serve as representatives on the Innovation Mile Review Committee for 2024.

PLAN COMMISSION DUTIES

Mr. Tyler Ochs, Acting Plan Commission Attorney, states he is an attorney with Bose McKinney & Evans filling in this evening for Mr. Jonathan Hughes. He states for the new members, the primary duty of the Plan Commission is to hear about proposed developments as the gateway to Noblesville as the recommending body to the Council. He states you hear petitions relating to rezonings, planned developments and made a recommendation of approval, denial, or you may modify a motion including stipulations. He states there are a copy of items that the Plan Commission is the final authority and that is primary and secondary plats. Mr. Ochs states other items that you discuss include text amendments to the Unified Development Ordinance, modifications to any adopted plans. He states a large part of what the Plan Commission does is being a transparent body to the public.

NEW PUBLIC HEARINGS

#1 Application No. 0160-2023 Amendment to the adopted Plan Development Ordinance No. 59-12-02 and Ordinance No. 37-5-03 for the "Noble West Planned Development" regarding amendments relating to maximum retail square footage permitted in retail area and screening and buffering requirements along E. 146th Street and updated Preliminary Development Plan located at 14700, 14375 Hazel Dell Crossing and acreage located east of Hazel View Road, south side of Hazel Dell Crossing (Noblesville City). Submitted by NW Partners, LLC (Owners/Applicants – John Riser)
Staff Reviewer – Joyceann Yelton

Ms. Yelton states the Noble West planned development ordinance was originally adopted in 2002 and is a multi-use type of development including single-family homes, townhomes, commercial, a public park, and office uses. She states this is one of the few times that there has been a request to amend this particular planned development ordinance. She states their request includes a few items: (1) increase

the square footage permitted for the commercial uses from 283,000-SF to 320,000-SF; (2) limited some uses as requested by the administration's team; and (3) eliminate the 7 – 9 ft. brick wall around the perimeter and replace it with a three-foot shrub and landscaping area. She notes that Kroger will be adding approximately 50,000-SF to their existing store, constructing a fuel center, and others will add additional inline tenant building adjacent to Kroger and establish 3-4 commercial outlots along E. 146th Street.

Mr. Burtner states the only way to get to Hazel Dell/146th Street is to go north within the development to the stop light at Edenshall Lane/Hazel Dell Road and will this be the only intersection with a stop light?

Mr. Hellmann, Assistant City Engineer, states Hamilton County Highway is proposing improvements along Hazel Dell Road/E. 146th Street that is actually an interchange similar to Allisonville Road and E. 146th Street. He states they are looking to close access to Hazel View Road which is the road adjacent to the lot for the fuel center. He states we have requested the County Highway consider the accesses to and from the businesses. He states the developers will be required to present a traffic study.

Mr. Burtner states with the additional business the traffic will be a problem.

Mr. Hellmann states with the traffic study we would be looking to change timing on traffic lights and queuing lanes.

Ms. Hanes states she thought she saw a plan that actually showed Chipotle and Starbucks as users on the outlots.

Ms. Yelton states it does not matter at this time what may have been shown as users, but the users will be determined at the time they submit for detailed development plan review and/or a tenant finish for a white box building.

Mr. Jon Dobosiewicz, Land Use Professional with Nelson and Frankenberger, Attorneys at Law, with offices at 550 Congressional Way, Carmel, Indiana states the petitioner is in negotiations with Chipotle and Starbuck's, but the final deals have not been signed. He states the development moving forward at this time is the Kroger addition and fuel center. He states they represent NW Partners, LLC. He states Mr. John Riser with NW Partners as well as Jim Shinaver, attorney with Nelson and Frankenberger are both present this evening. He states we are requesting a text amendment to the Noble West PD to allow for the expansion of 50,000-SF to the Kroger store that will bring the store to approximately 124,000-SF total; however, this is outside of our request this evening. He notes Staff is currently reviewing the Kroger expansion and fuel center as those uses are permitted by the Noble West PD. Mr. Dobosiewicz states as background the original PD was adopted in 2003 and there have been few modifications to the adopted ordinance. He states this amendment includes the area south of the proposed Kroger expansion and the parcels adjacent to Hazel View Road (east and west). He notes that the inline tenant building will be immediately adjacent to the Kroger expansion. He notes the fuel center is east of Hazel View Road and the other tenants would be east of the fuel center. He states we are requesting an increase in the total square footage area from 283,000 to 320,000-SF which is an overall increase of 37,000-SF. He notes this is only a 13% increase over what was projected more than twenty years ago. He states the uses that will be prohibited include (1) automobile sales, (2) automobile service and repair, and (3) marine craft sales, service and repair. He notes when the Noble West PD was adopted, it was at the very beginning of Noblesville doing planned developments so there is not really a preliminary development within the original ordinance, so we are adding a preliminary development plan for clarity. He states the third part of this request deals with the 7 to 9-FT wall that is required along E. 146th Street. He states the wall amendment only deals with the properties along E. 146th Street that are owned by our client. He states

the petitioner took photographs of the wall and submitted those to staff and as you will note it creates an obstacle in terms of any type of visibility for the buildings. Mr. Dobosiewicz states the applicant is proposing a 3-FT landscaping barrier in front of the buildings. He states that the existing wall on his client's property would be removed, and a new landscape barrier would be established. He states it requires shrubs at a 3-FT height adjacent to the parking lot. He states when this was originally developed, the area south of E. 146th Street was not developed and was zoned residential so because of the zoning may be why the wall was required but now it is a commercial use. He showed photographs of the proposed landscaping barrier relating to the fuel center and canopy. He notes there was a neighborhood meeting and only a few individuals showed up to the meeting and we have been in contact with those individuals. He states to my knowledge, Staff has not received any questions or correspondence on this matter. He states for the benefit of the new Plan Commission members, if you are not aware of the process, we appeared at the December meeting of the Council for an introduction to this project. He states we are now before the Plan Commission for their recommendation on this project back to the Council and if approved by the Council any and all future approvals that comply with the requirements in the PD Ordinance would be processed by Staff.

Vice President Smith opens the public hearing and closes the public hearing as no individuals came forward to speak.

Motion by Mr. Cooke seconded by Mr. Burtner to send a favorable recommendation to the Council for adoption of the proposed amendments and updated preliminary development plan for Noble West as per the presentation and Application No. LEGP 0160-2023.

AYES: Cooke, Burtner, Hellmann, Hanes, Sutton, Young, Davis, Smtih NAYS: Zero ABSTAIN: Zero
Motion carries 8, 0, 0.

#2 Application No. 0190-2023 Adoption of a "Program of Signs" for the "Village at Federal Hill" located at 196 Westfield Road. Submitted by Federal Village, LLC (Curtis Sattison, Rep)
Staff Reviewer – Joyceann Yelton

Ms. Yelton states this is a proposed Program of Signs for the Village at Federal Hill development. She states as you may recall, a program of signs, are for those areas that do not conform to the standards of the Unified Development Ordinance (UDO) and are a part of a special area. She states this development is a mixed-use development that does not fit well with the UDO regulations as we do not have sign regulations specific to mixed-use areas. She states they are present this evening seeking approval of their proposed Program of Signs. She states one of the proposed signs is an identification of the building which the UDO does not directly address. She states the location of that identification sign would be along the wall that extends beyond the face of the building along Westfield Road. She notes this will be individual channel letters and halo-lit. The other signs would be identification of the three to four business uses that front Westfield Road and those signs would be either on the entrance to each individual shop or it would be a sign that was individual letters on top of the canopy. Ms. Yelton states the sign sizes and the locations are supported by Staff and we would recommend adoption of this Program of Signs. She notes there are miscellaneous signs relating to the parking garage area as a part of this proposal.

Vice President Smith asks how many signs are at the bottom section (commercial area).

Ms. Yelton states it will be three users as of today.

Ms. Hanes asks about the business names that are proposed in the commercial area.

Mr. Curtis Stattison, Project Executive for the Village at Federal Hill, notes their vertical sign will be mounted on the stone column that faces Federal Hill Commons and the amphitheater. He states one of the business users is "Bocado Restaurant" that is a high-end Mexican brunch and dinner spot, and they would have two locations for signage as they are located in the corner of the building. He states the next space would be an Asian sushi concept called "Noricha Restaurant" and the western most area would be our coffee roaster.

He notes miscellaneous signs would include on the pedestrian bridge and entrance/exits to the parking garage.

AYES: Cooke, Smith, Sutton, Hanes, Young, Davis, Hellmann, Burtner **NAYS:** Zero **ABSTAIN:** Zero
Motion carries 8, 0, 0.

MISCELLANEOUS

There being no miscellaneous business, a motion was made for adjournment.

ADJOURNMENT

Meeting adjourned at 6:40 PM.

N. Scott Smith Vice President

Caleb P. Gutshall Secretary