



## PLAN COMMISSION STAFF REPORT

---

**ITEM NO's:** 4 & 4A

**APPLICATION NO.** LEGP No. 0046-2024, LEGP No. 0047-2024

**MEETING DATE:** May 20, 2024

**SUBJECT:** Adoption of a Preliminary Development Plan and Ordinance

**PETITIONER(S):** Change of land use category within the Corporate Campus

**SUMMARY:** Preliminary Development plan, ordinance, waivers for the construction of a Wawa Fuel Center and garden-office building

**LOCATION:** South of E. 146<sup>th</sup> Street and west of Howe Road

**WAIVERS REQUESTED:** Reference proposed ordinance

**RECOMMENDATION:** Approval

**PREPARED BY:** Joyceann Yelton, Development Services Manager  
[jyelton@noblesville.in.us](mailto:jyelton@noblesville.in.us)  
317-776-6325

---

### Planning Terms

**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.

**Preliminary Development Plan** - The initial development plans as proposed for a Planned Development 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 (CCPD)** - The CCPD was adopted to encourage economic development activity and high quality, well-integrated developments along the north and south sides of East 146<sup>th</sup> Street Corridor between State Road No. 37 and Prairie Baptist Road. This district is intended to provide for a broad range of uses, thus expanding employment opportunities in Noblesville and enhancing its tax base. Within the CCPD are several land subdistricts that represent physical character areas with each subdistrict tailored to a purpose, use, bulk, and site development standards reflective of its location, function, and desired appearance within the CCPD

### Procedure

The application was filed and is now ready for a public hearing at the May 20, 2024 Plan Commission meeting. The proposed amendment 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 proposal, including the Plan Commission's recommendation possibly at two separate Council meetings. At the final Council meeting the amendment 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.

### Correspondence

As of the time of writing, Staff had not received any inquiries regarding the application.

### Summary

The proposed development is for the establishment of a commercial development to include a Wawa fuel/convenience center and a garden-office building on approximately 4.45 acres to be known as "Howe Campus Corner". The request includes a change of land use category within the Corporate Campus and a separate planned development to include the preliminary development plan and regulations governing the 4.45 acres.

This area is a part of the Corporate Campus Planned Development District and was originally set aside for "Office/Flex" uses that would not permit any type of retail uses thus the request for a change of land use. The second part of the request details with a planned development that would set the standards for this 4.45 acres regarding permitted uses, landscaping, bulk standards, lighting, signage, etc.

There are several of the waivers requested that Staff is opposed to the Plan Commission granting in regard to signage and landscaping which will be discussed in more detail during Staff's Presentation. Quickly some of the issues involve backers to signs, signs on the canopy, sizes of signs as a few examples. The elimination of building base landscaping completely is unacceptable.

Exhibit E - Prohibited Use Chart proposed to remove from the list "public service facilities" and agricultural uses" as both are permitted in all zoning districts. Add to the prohibited use of schools not only business and trade but primary, secondary and pre-school nurseries, remove the 5,000-SF size from the college and university.

The Wawa building is approximately 6,300 square feet and the office building is approximately 9,300-SF. Within the ordinance are conceptual elevations of the office building and the proposed Wawa fuel/convenience center. Staff has also noted there are some areas within the proposed ordinance that conflict with what is being shown on the preliminary development plan. The plans submitted in the ordinance do not necessarily show what they are proposing as per the proposed ordinance. Also missing is a separate ordinance relating to the change of land use.

*Intentionally Left Blank*

**Analysis Table**

Item	Description	Analysis
<i>Surrounding Land Uses</i>	<b>North</b> –U.S. Post Office, Industrial, Commercial <b>South</b> – Commercial (Fishers) <b>East</b> – Agricultural <b>West</b> – Residential (Fishers)	<i>The surrounding land uses include commercial, residential, agricultural</i>
<i>Comprehensive Master Plan and Future Land Use</i>	<i>Innovation/Flex/MU</i>	<i>UI=includes research, technology, flex office/commercial, lower intensity manufacturing as a campus type environment.</i>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>148<sup>th</sup> Street (Primary Arterial) Howe Road (Primary Arterial)</i>	<i>A major road that serves to connect traffic-generating areas such as employment centers and commercial areas including major population center.</i>
<i>Environmental and Utility Considerations</i>		<i>None currently.</i>
<i>TAC Comments</i>		<i>Preliminary TAC comments</i>

**History**

- None

**Attachment**

**Exhibit 1 – Applicant’s Booklet**

**Recommendation**

Staff recommends approval of the change of zoning from R1 to R5 and the adoption of a preliminary development plan and ordinance as it adheres to the comprehensive master plan.

**Motion (Change of Land Use)**

1. Motion to approve the change of zoning from “Office/Flex” to “Commercial/Office” for the 4.45 acres as per the presentation and public hearing for Application No. 0046-2024 and send a favorable recommendation for adoption to the Council.
2. Motion to deny the request for a change of land use and ordinance for Application No. 0046-2024 (LIST REASONS)
3. Motion to continue Application No. 0046-2024 until the June 17, 2024 meeting.

**Motion (Preliminary development plan and ordinance)**

1. Motion to approve the preliminary development plan for the development of 4.45 acres including the ordinance, waivers, conditions, and/or stipulations as per the presentation and public hearing for LEGP 0047-2024 and send a favorable recommendation to the Council for adoption including the following stipulations, waivers, and/or conditions:

**WAIVERS**

1. Reduction of minimum area requirement – 5 acres to 4 acres minimum.
2. Reduction of minimum building height for Office Buildings – 24-FT and two stories to 20-FT and single-story with two-story appearance minimum.
3. Reduction of minimum building height for Retail Buildings – 24-FT and two stories to 24-FT and single-story minimum.
4. Reduction of minimum parking lot front yard setback along Howe Road – 50-FT to 20-FT minimum from the right-of-way line.
5. Reduction of minimum distance structures (including the vent pipes for the underground tanks) must be set back from the top of the bank of a detention pond in the front yard of 146<sup>th</sup> Street – 20-FT to 10-FT minimum.
6. Increase of maximum front yard setback – 50-FT to approximately 75-FT.
7. Reduction of minimum building size requirement – 40,000 SF to 5,000 SF minimum.
8. Allowance for accessory structures to be located within the particular front, side, or rear yard setbacks, subject to City Engineering Department and Planning Department approval.
9. Allowance for fiber cement siding to be considered an appropriate building finish material – not listed.
10. Allowance for parking, loading, or vehicular use areas to be located between the building and front property line along arterials – not permitted.
11. Allowance for directional signs to advertise an activity – not permitted.
12. Allowance for the color red to be used as the primary color of signs – Primary colors should be black or white with other color being used as an accent color only.
13. Allowance for automobile fuel station ground sign in the Commercial/Office Subdistrict – not permitted.
14. Allowance for automobile fuel station wall signs to be permitted per **Exhibit F**.
15. Elimination of requirement for a continuous sculpted and undulating earthen mound at 5-FT in height and mound landscaping – required.
16. Reduction of interior parking lot landscaping – 27 shade trees to 15 shade trees.
17. Elimination of building foundation landscaping for the automobile fuel station – 18 total ornamental trees to 0 total ornamental trees and 110 total large shrubs to 0 total large shrubs.

18. Elimination of building foundation landscaping for the east, west, and south sides of the office building – 23 total ornamental trees to 0 total ornamental trees and 75 total large shrubs to 0 total large shrubs.
19. Allowance for all automobile fuel station signs to be permitted per **Exhibit F**, including two digital fuel price displays per ground sign side.
20. Expansion of ground sign maximum area – 45 SF to approximately 50 SF.
21. Expansion of ground sign maximum height – 6-FT to 7-FT, 10-IN (94-IN).
22. Allowance for directional signs to contain any logos, business names, or other copy that denotes the business for which it serves – not permitted.
23. Elimination of duplicate planting requirements for street trees/street frontage landscaping along 146<sup>th</sup> Street – per the discretion of the Director of Planning and Development.
24. Elimination of duplicate planting requirements for street trees/street frontage landscaping along Howe Road – per the discretion of the Director of Planning and Development.
25. Change in type and reduction of perimeter parking lot landscaping on the south side of the Real Estate – 11 shade trees, 7 ornamental trees, and 121 shrubs to 18 evergreen trees and 0 shrubs.
26. Change in type and reduction of perimeter parking lot landscaping on the west side of the Real Estate – 11 shade trees, 7 ornamental trees, and 117 shrubs to 18 evergreen trees and 0 shrubs.
27. Reduction of the parking lot island size from a minimum of 240-SF to 140-FT.

The areas highlighted are targeted for additional discussion at the Plan Commission meeting.

***STIPULATIONS** must be satisfied prior to the issuance of an Improvement Location Permit and Pre-Construction meeting.*

1. City of Fishers approval for the sanitary sewer
  2. City of Fishers approval relating to the storm sewer quantities being sent to the City of Fishers
  3. Right-of-way must be obtained from the east side of Howe Road for the required roadway improvements to meet the City of Noblesville Standards.
  4. The construction drawings submitted for detailed development plan review shall meet the minimum requirements of all City, State, and Federal ordinances, if applicable or unless waivers were granted from those standards.
2. Motion to deny the preliminary development plan and ordinance for Application No. 0047-2024 (**LIST REASONS**)
  3. Motion to continue Application No. 0047-2024 until the June 17, 2024 meeting.