



## PLAN COMMISSION STAFF REPORT

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**ITEM NO's:** 1 & 1A

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

**MEETING DATE:** June 17, 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  
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### 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 was originally discussed at the public hearing at the May 20, 2024 Plan Commission meeting; however, it was continued due to several unanswered comments from staff. Since that last meeting, Staff has been working with the group to resolve any outstanding issues/comments. These applications did have a public hearing at the May 20, 2024 meeting so Staff is not anticipating re-opening the public hearing as at the May meeting there were no individuals present speaking either for or against the project.

### Correspondence

Staff to date, has not received any inquiries regarding the application.

### Summary

This item was continued by the Plan Commission at their May meeting so to provide time for the applicants and Staff to attempt a resolution to the many outstanding comments. Staff has worked with the applicants to reduce the number of waivers previously requested and lends its support to the project.

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.

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 Corporate Campus was sent aside mostly for the development of headquarters, industrial uses, and limited commercial uses. During the past 20+ years of the adoption of the CCPD zoning district, comprehensive plans have been updated, demographics and economic conditions have changed, so some modifications are warranted for the City of Noblesville to stay competitive with our neighbors.

Staff and others recently discovered that the applicants are proposing two separate lots for this area. The Technical Advisory Committee in their review all looked at this area as being a single lot and not two lots. Because of the subdivision there are two new waivers to be sought. The number of waivers requested at the initial hearing has been reduced by more than 50%. The applicants have agreed to Staff’s suggestions/modifications/conditions/stipulations as per the last meeting and our most recent discussions. Access to lots from an arterial roadway is limited by our ordinance including the setbacks from an intersection. In this case, only one access is being provided from Howe Road to serve both lots as per the Unified Development Ordinance (UDO) requirements. Several of the waivers are related to architectural standards within the CCPD which again were more geared towards larger industrial/headquarter complexes. With this property being the subject of a land use change, the waivers being requested provide a better plan for maneuverability and uses adjacent to the residential properties.

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**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>146<sup>th</sup> Street (Primary Arterial)</i> <i>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

## Attachments

- Exhibit 1 – Applicant's Booklet
- Exhibit 2 – Change of Land Use Ordinance
- Exhibit 3 - Planned Development Ordinance

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**Recommendation**

Staff recommends approval of the change of zoning from "Office/Flex" to "Commercial/Office" for the 4.45 acres and the adoption of the preliminary development plan and ordinance. Staff notes that the attached preliminary development plan ordinance is still being tweaked for clarification purposes and not items that would change what is being presented at this meeting. This ordinance will not return to the Council until their July 9, 2024 meeting to provide Staff ample time to review the plans and ordinance assuring there is consistency between the two.

**Motion (Change of Land Use)**

1. Motion to approve the change of zoning from "Office/Flex" to "Commercial/Office" for the 4.45 acres 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.

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

1. Motion to approve the preliminary development plan for the development of 4.45 acres including the modifications to the ordinance and plans as requested by Staff, waivers, conditions, and/or stipulations 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 2 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. Increase of maximum front yard setback – 50-FT to approximately 75-FT.
6. Reduction of minimum building size requirement – 40,000 SF to 5,000 SF minimum.
7. Allowance for fiber cement siding to be considered an appropriate building finish material
8. Allowance for parking, loading, or vehicular use areas to be located between the building and front property line along arterials
9. Allowance for automobile fuel station ground sign in the Commercial/Office Subdistrict including a digital price board displaying two gas prices.
10. Elimination of requirement for a continuous sculpted and undulating earthen mound at 5-FT in height and mound landscaping
11. Reduction in landscaping as per the submitted landscaping in the June 13, 2024 submittal.

**ADDITIONAL WAIVERS BASED ON TWO LOTS:**

1. Creation of what is term a “flag lot” for the western most lot
2. Elimination of parking lot landscaping between the two lots along the north/south property line.
3. Reduction of lot width to approximately 75-FT

***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. At the time of submittal for detailed development plan review, a proposed document relating to the cross-access easement is included with the submittal.
  5. 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.
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2. Motion to deny the preliminary development plan and ordinance for Application No. 0047-2024  
**(LIST REASONS)**
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3. Motion to continue Application No. 0047-2024 until the July 15, 2024 meeting.