



PLAN COMMISSION STAFF REPORT

ITEM NO's: 6 & 6A

APPLICATION NO. LEGP No. 0077-2024, LEGP No. 0078-2024

MEETING DATE: June 17, 2024

SUBJECT: Adoption of a Development Plan and Ordinances

PETITIONER(S): MAB Capital Investments, LLC (Steve Ball) and Tinitas Development, LLC (Austin Tracey, Applicant)

SUMMARY: Development plan, ordinance, waivers for the construction of two-family, multi-family units and townhome dwelling units and a commercial area

LOCATION: West of Brooks School Road north of E. 136th Street

WAIVERS REQUESTED: Reference proposed ordinance

RECOMMENDATION: Approval

PREPARED BY: Joyceann Yelton, Development Services Manager
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.

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 146th 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 June 17, 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 a part of the Hyde Park overall plan that was submitted and viewed by the Plan Commission and Council in 2021. That proposed development of more than 275 acres includes a park land dedicated to the city, commercial, and mixed-use residential development, incubator maker space, multi-family, and townhomes that spans an area south of Greenfield Avenue along Boden/Brooks School Road to E. 136th Street. This development is at the northwest

corner of E. 136th Street and Brooks School Road and was most recently agricultural in use. The proposal is for a maximum of 300 units of residential consisting of townhomes, multi-family units, or two-family units and approximately three acres of neighborhood-serving commercial development along Brooks School Road. This development is split into north and south parcels due to the Hyde Park regional detention pond. The architectural elevations have been considered by the Architectural Review Board and sent forward with a favorable recommendation to the Plan Commission and Council.

There is only one waiver in the commercial area and that being the reduction of the minimum building size. As for the residential area, there are five that include items such minimum lot area per dwelling unit, maximum floor area per dwelling, waiver for maximum lot coverage requirements, and a reduction in the landscaping requirements for both the commercial and residential areas as per the submitted plans.

Analysis Table

Item	Description	Analysis
<i>Surrounding Land Uses</i>	North – Commercial and Residential uses Proposed in Hyde Park. South – Place of Worship (Fishers) East – Residential Uses West – Residential Uses	<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>136th Street (Secondary Arterial)</i> <i>Brooks School 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>	Flood Hazard Area	<i>This area is currently being reviewed for compliance with the floodplain regulations and are awaiting the issuance of a CLOMA and LOMA by FEMA and IDNR. Until this action is received, no permits will be issued to this property including an Improvement Location Permit or any building permits.</i>
<i>TAC Comments</i>		<i>Preliminary TAC comments</i>

History

- None

Attachments

Exhibit 1 – Rezoning Ordinance

Exhibit 2 – PD Ordinance

Exhibit 3 – Waiver Justification

Exhibit 4 - Preliminary Development Plans 05-20-2024

Recommendation

Staff recommends approval of the change of zoning for the land use change from Single-Family/Multi-Family/Commercial/Office/Flex with a subdistrict overlay of 146th Street Corridor to Single-Family/Multi-family with a subdistrict overlay of Mixed Residential for approximately 39 acres relating to the residential development and the remaining three acres to be Commercial/Office/Flex with a Secondary Corridor Overlay. Staff is in support of the preliminary development plan and ordinance including the waivers except the elimination of the required peripheral buffer yards as required. Staff would consider a reduction but not elimination.

Motion (Change of Land Use)

1. Motion to approve the change of zoning from Single-Family/Multi-Family/Commercial/Office/Flex with a subdistrict overlay of 146th Street Corridor to Single-Family/Multi-family with a subdistrict overlay of Mixed Residential for approximately 39 acres relating to the residential development and the remaining three acres to be Commercial/Office/Flex with a Secondary Corridor Overlay as per the presentation and public hearing for Application No. 0077-2024 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. 0077-2024 **(LIST REASONS)**
3. Motion to continue Application No. 0077-2024 until the July 15, 2024 meeting.

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Motion (Preliminary development plan and ordinance)

1. Motion to approve the preliminary development plan for the development of 42 acres including the ordinance, waivers, conditions, and/or stipulations as per the presentation and public hearing for LEGP 0078-2024 and send a favorable recommendation to the Council for adoption including the following stipulations, waivers, and/or conditions:

WAIVERS

Commercial Area

1. Reduction of minimum building size to 9,000-SF
2. Reduction in the required landscaping for the commercial structures.
3. Elimination of pitched roofs for both commercial and residential.
4. Reduction of parking lot length to 18-FT for the double row commercial area.

Residential Area

5. Minimum lot area per dwelling unit 4,000-SF
6. Maximum lot coverage is 80%
7. Landscaping to meet what is proposed on development plan for the commercial, and residential for parking lots interior and perimeter and building base.

Including the following **STIPULATIONS:**

8. An improvement location permit and/or building permits will not be issued until such time the City has received a CLOMR and/or LOMR regarding the floodplain on this property.
9. At the time of detailed development plan submission, the required peripheral buffer yard is included around the entire property at a minimum of 25-FT in width and/or matching what was required for the other developments that are a part of the Hyde Park overall acreage.

2. Motion to deny the preliminary development plan and ordinance for Application No. 0078-2024 (**LIST REASONS**)
3. Motion to continue Application No. 0078-2024 until the July 15, 2024 meeting.