



PLAN COMMISSION STAFF REPORT

ITEM NO's: 7 & 7A

APPLICATION NO. LEGP No. 0043-2024, LEGP No. 0044-2024

MEETING DATE: June 17, 2024

SUBJECT: Adoption of a Preliminary Development Plan and Ordinance and change of land use categories

PETITIONER(S): LOR Promise, LLC; Noblesville Schools; Tuttle Development Main Street, LLC (Owners) and LOR Promise, LLC: The Kroger Company, and David Weekley Homes (Applicants)

SUMMARY: Preliminary Development plan, ordinance, waivers for the construction of a mixed-use development on 110 acres

LOCATION: North of E. 146th Street and east of Howe Road and west of Promise 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 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 for 110 acres located on the north side of E. 146th Street between Howe Road and Promise Road all within the Corporate Campus Planned Development District. When the development was originally filed earlier this year; the proposal only contained 71 acres. The current land use on the side is Industrial/Office with a subdistrict overlay of Internal and Office/Flex with a subdistrict overlay of 146th Street Corridor. There is also a Government Use Overlay on this property for acreage owned by the Noblesville Schools that contains only the retention pond for the site. The site has been working with the administration, Planning & Engineering staffs, Architectural Review Board, Council members and Hamilton County Highway and Hamilton County Surveyor's Office to propose uses and layouts that are acceptable to all. We are now to a point that it is ready to move forward for a public hearing. Drainage for this site was a challenge but has been agreed upon in concept. This is a request to change the land uses and adopt a preliminary development plan for the 110 acres to include multiple uses.

The applicants are proposing a vibrant shopping destination to be known as "Marketplace on 146th": The area will include beginning at the northwest corner of the development a residential component for 98 single-family homes by David Weekley Homes. Within the interior of the development will be a "Kroger Marketplace" that offers items that are not offered at a typical Kroger Grocery store. There will also be a public dedicated street going east from Howe Road to connect to Promise Road. Additional outlots will be established providing neighborhood services and restaurants. Along Promise Road will be outlots and townhomes that at the time of writing a builder for those townhomes has not been selected. Once the builder has been selected for the site, they will be required to return to the Architectural Review Board for approval. There are several waivers being considered but do remember that the Corporate Campus was set aside for the development of large headquarter and industrial buildings on most of the 4,000-acres. Changing the land use categories to allow for residential and commercial development requires that many of the bulk standards are excessive to the establishment of smaller and less intense uses thus the list of waivers. Staff has worked very closely with the developers and their attorney on the list of waivers and are in support of their requests. The Corporate Campus Planned Development District was established more than 20 years ago, and we have seen changing demographics and economic conditions that affect the land uses in the Corporate Campus.

The waivers requested include drive-thru windows facing a street; light standards height, curb locations, minimum building height, front yard setback along internal public roadway, eliminate parking lot setbacks internal to the site for lots to create shared parking and cross-accessibility, eliminate the pitched roofs, allow painted/textured CMU, parking permitted between the building and front setback line; increase the maximum distance between parking and the Kroger Marketplace; eliminate landscaping in the front on those lots that are to accommodate outdoor patios and seating areas, eliminate the mound on 146th Street, eliminate the building base

landscaping around the Kroger Marketplace building; allow parking to encroach into the setback for landscaping, reduce the peripheral buffer yard to 20-FT; eliminate the parking lot landscaping for the front yards abutting the internal public roadway; allow trash enclosures to be adjacent to the public access road; and allow the display of seasonal materials for Kroger and its fuel center.

Analysis Table

Item	Description	Analysis
<i>Surrounding Land Uses</i>	North – Promise Road School South – Vacant Land (agricultural) East – Campus Center Planned Development Containing Leo’s Fuel/Convenience store West – SMC	<i>The surrounding land uses include commercial, agricultural, and industrial</i>
<i>Comprehensive Master Plan and Future Land Use</i>	<i>Innovation/Flex/MU</i>	<i>This includes research, technology, flex office/commercial, lower intensity manufacturing as a campus type environment.</i>
<i>Traffic Circulations and Thoroughfare Plan</i>	<i>146th Street (Primary Arterial)</i> <i>Howe Road (Primary Arterial)</i> <i>Promise 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** – Change of Zoning Ordinance
- Exhibit 2** – PD Ordinance
- Exhibit 3** – Preliminary Development Plan
- Exhibit 4** – Waiver Justifications

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 "Industrial Office" with an overlay of "Internal" to "Single-Family Residential" with a subdistrict category of "Mixed Residential" for approximately 50 acres and to from "Office/Flex" to "Commercial" with a subdistrict overlay of "146th Street Corridor" for approximately 60 acres ss per the presentation and public hearing for Application No. 0043-2024 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. 0043-2024 **(LIST REASONS)**

3. Motion to continue Application No. 0043-2024 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 110 acres including the ordinance, waivers, conditions, and/or stipulations as per the presentation and public hearing for LEGP 0044-2024 and send a favorable recommendation to the Council for adoption including the following stipulations, waivers, and/or conditions:

WAIVERS

Reference list of Waiver Requests & Justifications updated on 06-05-2024. Please include with motion

2. Motion to deny the preliminary development plan and ordinance for Application No. 0044-2024 (**LIST REASONS**)

3. Motion to continue Application No. 0044-2024 until the July 15, 2024 meeting.