



## PLAN COMMISSION STAFF REPORT

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**ITEM NO:** 3 **APPLICATION NO.** 0195-2017

**MEETING DATE:** January 16, 2018

**SUBJECT:** Amendment to an adopted planned development ordinance

**PETITIONER(S):** Gradison-Merion Investment LLC

**SUMMARY:** Allow up to 35 homes in the subdivision to have a crawl space or slab foundation

**LOCATION:** Merion subdivision on the west side of Summer Road approximately ½ mile south of 166<sup>th</sup> Street

**WAIVERS REQUESTED:** Not applicable

**RECOMMENDATION:** Forward to the Common Council with a favorable recommendation

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## **Planning Terms**

**Planned Development** – A large-scaled unified development consisting of a parcel or parcels of land, controlled by a single owner to be developed as a single entity. The area of land in which a variety of residential, commercial, and/or industrial uses are planned and developed as a whole according to the adopted preliminary development plans and approved detailed plans, with more flexible standards, such as lot sizes, uses and setbacks, than those restrictions that would normally apply to a specific zoning district.

**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 (PD) ordinance including any waivers from the underlying zoning district regulations and commitments by the developer for said real property.

**Text Amendment** - A modification that clarifies or preserves the written provisions of an adopted ordinance or creates a new provision. It may correct an error or inconsistency or meet the challenge of changing conditions.

## **Procedure**

The application was filed November 29, 2017 for a public hearing at the January 16, 2018 Plan Commission meeting. The Plan Commission votes on a recommendation to the Common Council for adoption, denial, or no recommendation. The Plan Commission has the authority to modify the proposal and/or attach conditions to the recommendation.

## **Correspondence**

None.

## **Summary**

The request is to amend the text of the approved planned development ordinance to allow up to 35 homes in the neighborhood to be constructed on a slab or crawl space. The original planned development ordinance was approved in April 2015 and permitted a total of one hundred fifteen (115) single family homes. The proposed amendment would amend only the architectural standards for the planned development. No other changes have been requested.

The architectural requirements were constructed in such a way that they require each home to have a basement with a minimum square footage of twelve hundred and seventy-five (1275) square feet. The petitioner is requesting with this amendment to modify that existing provision of the planned development ordinance. The proposed amendment would still require eighty (80) homes within the neighborhood to have a basement. There would be up to thirty-five (35) homes constructed within the neighborhood that would have either a crawl space or a slab instead of a basement. The reason for the request is based upon the loss of several sales within the community because of the mandatory basement requirement. The

neighborhood is being marketed to mostly empty nesters and many of them spend the winter in warmer parts of the country. They have concerns about returning to a flooded basement due to a power outage. Their concerns appear to be solely lifestyle related as opposed to cost related.

Item	Description	Analysis
<b><i>Surrounding Land Uses</i></b>	<b>North</b> – Flagstone, Park Place @ Sagamore, and Sagamore subdivisions <b>East</b> – Noble East and Flagstone subdivisions <b>South</b> – vacant agricultural <b>West</b> – Sagamore and Chapel Woods subdivisions	Merion is a developing subdivision that has 13 building permits issued to date.
<b><i>Comprehensive Master Plan and Future Land Use</i></b>	The Comprehensive Master Plan indicates this area as Mixed Density Single Family Residential	This can include a variety of single family housing varieties, but will generally have a density between two and five units per acres and should reflect nearby developments.
<b><i>Traffic Circulations and Thoroughfare Plan</i></b>	Internal road network of public streets.	<i>Not Applicable</i>
<b><i>Environmental and Utility Considerations</i></b>	<i>Not Applicable</i>	<i>Not Applicable</i>
<b><i>TAC Comments</i></b>	<i>Not Applicable</i>	<i>Not Applicable</i>

### **Fiscal Analysis**

Not Applicable

### **Attachment**

- Exhibit 1      Aerial Photograph
- Exhibit 2      Zoning Map
- Exhibit 3      Petitioner's description of the request
- Exhibit 4      Merion Planned Development Ordinance amendment

### **Recommendation**

Staff recommends that this petitioner be forwarded with a favorable recommendation to the City Council for adoption of the text amendment to the Merion Planned Development Ordinance as per the submitted application 000195-2017.

### **Motions**

1. Motion to forward this petition with a favorable recommendation to the City Council for adoption of the text amendment to the Merion Planned Development ordinance as per submitted application 000195-2017.
2. Motion to forward this petition with an unfavorable recommendation to the City Council for adoption of the text amendment to the Merion Planned Development ordinance as per submitted application 000195-2017. (support with reasons)
3. Motion to continue application 000195-2017 until the February 20, 2018 meeting.