



Metropolitan Development Commission Plat Committee (August 9, 2023) Meeting Agenda

Meeting Details

Notice is hereby given that the Plat Committee of the Metropolitan Development Commission of Marion County, IN will hold public hearings on:

Date: Wednesday, August 09, 2023 **Time:** 1:00 PM

Location: Room 260, 2nd Floor, City-County Building, 200 E. Washington Street

At which time and place the following petitions requesting approval of subdivision plats and petitions and resolutions for the vacation of Streets, Alleys, Plats, or Public Grounds, will be heard, pursuant to Indiana Code 36-7-4-700, series and action thereon determined.

Business:

Adoption of Meeting Minutes:

Special Requests

PETITIONS REQUESTING TO BE CONTINUED:

1. 2023-PLT-011 | 3725 Kentucky Avenue

Decatur Township, Council District #22, Zoned C-1 and C-3
Baback, LLC by Pat Rooney

Approval of a Subdivision Plat to be known as 3725 Kentucky Ave., dividing 2.11 acres into three lots.

**** Continuance requested by staff**

2. 2023-PLT-037 | 4437 Clark Drive

Franklin Township, Council District #25, Zoned C-S (FF)
David A. Retherford, Trustee of the Russell E. Flagle Revocable Trust

Approval of a Subdivision Plat, to be known as Flagle Pointe Commercial Subdivision, dividing 37.62 acres into two lots, one common area and one block, with a waiver of the sidewalk requirement along Block A.

**** Continuance requested by staff**

3. 2023-PLT-047 | 6121 Crawfordsville Road

Wayne Township, Council District #6, Zoned C-4
Plaza and Speedway, LLC, by Bill Terry

Approval of a Subdivision Plat to be known as Plaza at Speedway Minor Plat, subdividing 9.41 acres into one lot and one block.

**** Continuance requested by staff**

4. 2023-PLT-057 | 1111 North Hamilton Avenue

Center Township, Council District #17, Zoned D-5
Jennifer Serviss White and Marshall White, by Adam Dehart

Approval of a Subdivision Plat, to be known as Replat of Lot 44 in Clifford Place, dividing 0.14-acre into two single-family attached lots.

****Continuance requested by staff**

- 5. 2023-VAC-004 | 8118 Windcombe Boulevard**
Washington Township, Council District #2
James and Kristen Murney, by Michael E. Brannan

Vacation of a 60-foot platted building line setback recorded as part of Windcombe, Second Section Subdivision in Plat Book 28, Page 228, with a waiver of the assessment of benefits.

****Automatic continuance to be acknowledged**

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

- 6. 2023-PLT-049 | 553 South Post Road**
Warren Township, Council District #18, Zoned SU-5 (FF)
CCB Real Estate, LLC, by Russell L. Brown

Approval of a Subdivision Plat to be known as WISH Towers, dividing 39.544 acres into three lots.

- 7. 2023-PLT-050 | 4310 North Carroll Road**
Warren Township, Council District #14, Zoned D-P
Lennar Homes of Indiana, LLC, by Brett Huff

Approval of a Subdivision Plat, to be known as Clifton Trace, Section One, dividing 12.34 acres into 29 lots.

- 8. 2023-PLT-051 | 1435 South Alabama Street**
Center Township, Council District #16, Zoned D-5
ISG Properties, LLC, by Jynell D. Berkshire

Approval of a Subdivision Plat to be known as Moss's Alabama Street Addition, dividing 0.17-acre into two single-family attached lots.

- 9. 2023-PLT-053 | 11625 Fox Road**
Lawrence Township, Council District #5, Zoned C-4
11625 Fox Road, LLC, by Jynell D. Berkshire

Approval of a Subdivision Plat to be known as Hamilton's Fox Road Addition, dividing 4.2 acres into two lots.

- 10. 2023-PLT-054 | 11629 Fox Road**
Lawrence Township, Council District #5, Zoned C-4
Geist Center BGOG, LLC, by Jynell D. Berkshire

Approval of a Subdivision Plat to be known as Fox Road Addition, dividing 8.45 acres into two lots.

- 11. 2023-PLT-055 | 5800 Stanley Road**
Decatur Township, Council District #20, Zoned C-S (FF)
Midwest Logistics Partners, LP, by Greg Dempsey

Approval of a Subdivision Plat, to be known as Ameriplex Site 23, dividing 7.39 acres into two lots.

- 12. 2023-PLT-056 | 1402 South Post Road**
Warren Township, Council District #18, Zoned D-A, SU-46, and I-3
Dogwood Development, LLC, and Martin Kenric Fall Trustee / Martin Kenric Fall Living Trust, by Tracy L. McGill

Approval of a Subdivision Plat, to be known as Replat Block A, Post Road Commerce Park, dividing 80.53 acres into two blocks.

- 13. 2023-VAC-003 | 1355 & 1515 North Senate Avenue, 227 West 14th Street, 120 West 15th Street, 155 West 16th Street and 1402 North Capitol Avenue**
Center Township, Council District #11
Indiana University Health, Inc., by J. Murray Clark

Vacation of a portion of right-of-way, air rights, and subterranean rights of Capitol Avenue, which has an elevation of 721 feet, from an elevation of 671 feet to an elevation of 733.88 feet, from a point 135.64 feet north of the southwest corner of Lot 3 in DeWolf's Subdivision as recorded in Plat Book Four, Page 38 in the Office of the Recorder of Marion County, Indiana, to a point 22.83 feet north and seven feet in width, lying between 15th Street and 16th Street;

Vacation of a portion of right-of-way, air rights and subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 671 feet to an elevation of 735.69 feet, from a point 63.06 east of the northwest corner of Lot 1 in McKernan and Pierce's Subdivision of Lots 11 and 12 of Block 18 in Drake's Addition as recorded in Plat Book Two, Pages 81 and 95 in the Office of the Recorder of Marion County, Indiana, to a point 28.83 feet east and 5.33 feet in width, lying between vacated Senate Avenue (per Instrument No. A202000148626) and Capitol Avenue;

Vacation of an irregular-shaped portion of air rights of the south right-of-way of 16th Street and west right-of-way of Capitol Avenue, above 739.9 feet, being at least 18.9 feet above the grade of 16th Street and Capitol Avenue, which has an elevation of 721 feet, from a point 51.98 feet north of the southeast corner of Lot 3 in Block 28 of Drake's Addition to the City of Indianapolis, as recorded in Plat Book One, Pages 95 and 96 in the Office of the Recorder of Marion County, Indiana, to a point 111.02 feet north, thence west 144.17 feet and a maximum width of 22.34 feet;

Vacation of air rights of Capitol Avenue above 733.8 feet, being at least 12.8 feet above the grade of Capitol Avenue, which has an elevation of 721 feet, from a point 134.18 feet north of the southwest corner of Lot 3 in DeWolf's Subdivision as recorded in Plat Book Four, Page 38 in the Office of the Recorder of Marion County, Indiana, to a point 70 feet to the west and 25.75 feet in width, lying between 15th Street and 16th Street;

Vacation of air rights of 14th Street above 735.6 feet, being at least 14.5 feet above the grade of 14th Street, which has an elevation of 721 feet, from a point 62.65 feet west of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119-120 in the Office of the Recorder of Marion County, Indiana, to a point 30.25 east and 60 feet in width, lying between vacated Senate Avenue (per Instrument No. A202000148626) and Capitol Avenue;

Vacation of subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 684.42 feet to an elevation of 717.58 feet, from a point 20.24 feet east of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119 and 120 in the Office of the Recorder of Marion County, Indiana, to a point 22.67 feet east along the north right-of-way of 14th Street, thence 60 feet south to the south right-of-way of 16th Street;

Vacation of a portion of subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 697.08 feet to an elevation of 715.75 feet, from a point 159.27 feet east of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119 and 120 in the Office of the Recorder of Marion County, Indiana, to a point 26.67 feet east along the north right-of-way of 14th Street, thence 60 feet south to the south right-of-way of 16th Street;

All with a waiver of the assessment of benefits.

Additional Business:

**The addresses of the proposals listed above are approximate and should be confirmed with the Division of Planning. Copies of the proposals are available for examination prior to the hearing by emailing planneroncall@indy.gov. Written objections to a proposal are encouraged to be filed via email at dmdpubliccomments@indy.gov before the hearing and such objections will be considered. At the hearing, all interested persons will be given an opportunity to be heard in reference to the matters contained in said proposals. The hearing may be continued from time to time as may be found necessary. For accommodations needed by persons with disabilities planning to attend this public hearing, please call the Office of Disability Affairs at (317) 327-5654, at least 48 hours prior to the meeting. Department of Metropolitan Development - Current Planning Division.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE**August 9, 2023**

Case Number: 2023-PLT-011
Property Address: 3725 Kentucky Avenue (*Approximate Address*)
Location: Decatur Township, Council District # 22
Petitioner: Baback, LLC by Pat Rooney
Zoning: C-1 and C-3
Request: Approval of a Subdivision Plat, to be known as 3725 Kentucky Ave., dividing 2.11 acres into three lots.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

Required plat information and the affidavit of notice have not yet been received. Staff is requesting a continuance from the August 9, 2023 hearing to the September 13, 2023 hearing to allow more time for complete information.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE**August 9, 2023**

Case Number: 2023-PLT-037
Property Address: 4437 Clark Drive (*Approximate Address*)
Location: Franklin Township, Council District #25
Petitioner: David A. Retherford, Trustee of the Russell E. Flagle Revocable Trust
Zoning: C-S (FF)
Request: Approval of a Subdivision Plat, to be known as Flagle Pointe Commercial Subdivision, dividing 37.62 acres into two lots, one common area and one block, with a waiver of the sidewalk requirement.
Waiver Requested: Waiver of the sidewalk requirement
Current Land Use: Commercial / Undeveloped
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the second hearing for this petition. This petition was continued from the July 12, 2023 hearing to the August 9, 2023 hearing for an amendment with notice.

Mailed and published notice was not provided in time for this hearing. This petition will require a continuance from the August 9, 2023 hearing to the September 13, 2023.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE**August 9, 2023**

Case Number: 2023-PLT-047
Property Address: 6121 Crawfordsville Road (*Approximate Address*)
Location: Wayne Township, Council District # 6
Petitioner: Plaza and Speedway, LLC, by Bill Terry
Zoning: C-4
Request: Approval of a Subdivision Plat, to be known as Plaza at Speedway Minor Plat, subdividing 9.41 acres into one lot and one block.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the second hearing for this petition. This petition was continued from the July 12, 2023 hearing to the August 9, 2023 hearing.

Required plat information and the affidavit of notice have not yet been received. Staff is requesting a continuance from the August 9, 2023 hearing to the September 13, 2023 hearing to allow more time for complete information.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE**August 9, 2023**

Case Number: 2023-PLT-057
Property Address: 1111 North Hamilton Avenue (*Approximate Address*)
Location: Center Township, Council District #17
Petitioner: Jennifer Serviss White and Marshall White, by Adam Dehart
Zoning: D-5
Request: Approval of a Subdivision Plat, to be known as Replat of Lot 44 in Clifford Place, dividing 0.14-acre into two single-family attached lots.
Waiver Requested: None
Current Land Use: Two-Family Dwelling
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

The subject site does not meet the development standard for a duplex in the D-5 district. This petition will require a variance of development standards prior to platting. Staff is requesting a continuance to September 13, 2023 to allow time to apply for a variance.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE**August 9, 2023**

Case Number: 2023-VAC-004

Property Address: 8118 Windcombe Boulevard (*Approximate Address*)

Location: Washington Township, Council District #2

Petitioner: James and Kristen Murney, by Michael E. Brannan

Zoning: D-2

Request: Vacation of a 60-foot platted building line setback recorded as part of Windcombe, Second Section Subdivision in Plat Book 28, Page 228, with a waiver of the assessment of benefits.

Waiver Requested: Waiver of the assessment of benefits

Current Land Use: Residential

Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

A timely automatic continuance was submitted by a registered neighborhood organization continuing this matter from the August 9, 2023 hearing to the September 13, 2023 hearing. This would require the Plat Committee's acknowledgement.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

August 9, 2023

Case Number:	2023-PLT-049
Property Address:	553 South Post Road (<i>Approximate Address</i>)
Location:	Warren Township, Council District # 18
Petitioner:	CCB Real Estate, LLC, by Russell L. Brown
Zoning:	SU-5 (FF)
Request:	Approval of a Subdivision Plat, to be known as WISH Towers, dividing 39.544 acres into three lots.
Waiver Requested:	None
Current Land Use:	Communications Facility/Equipment
Staff Reviewer:	Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated July 25, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.



**Department of Metropolitan Development
Division of Planning
Current Planning**

10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned SU-5 and developed with a communication facility and equipment. The proposed plat would subdivide the property into three lots to provide for future development. The proposed plat meets the standards of the SU-5 zoning classification.

STREETS

Lot One, Two, and Three would front on Rawles Avenue to the north. Lot One would be a corner lot, and has frontage on Post Road to the west. No new streets are proposed as part of this petition.

SIDEWALKS

Sidewalks are required along Post Road and Rawles Avenue.

GENERAL INFORMATION

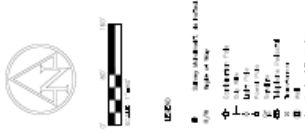
Existing Zoning	SU-5	
Existing Land Use	Communications Facility	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	C-1 / SU-9	Commercial / Government (Industrial)
South:	D-3 / D-S	Single-Family Residential
East:	D-A	Single-Family Residential
West:	C-3 / I-2	Commercial / Industrial
Thoroughfare Plan		
Post Road	Primary Arterial	50-foot existing and 119-foot proposed
Rawles Avenue	Primary Collector	30-foot existing and 80-foot proposed
Petition Submittal Date	June 26, 2023	

EXHIBITS



**PRIMARY PLAT OF SUBDIVISION
WISH TOWERS**

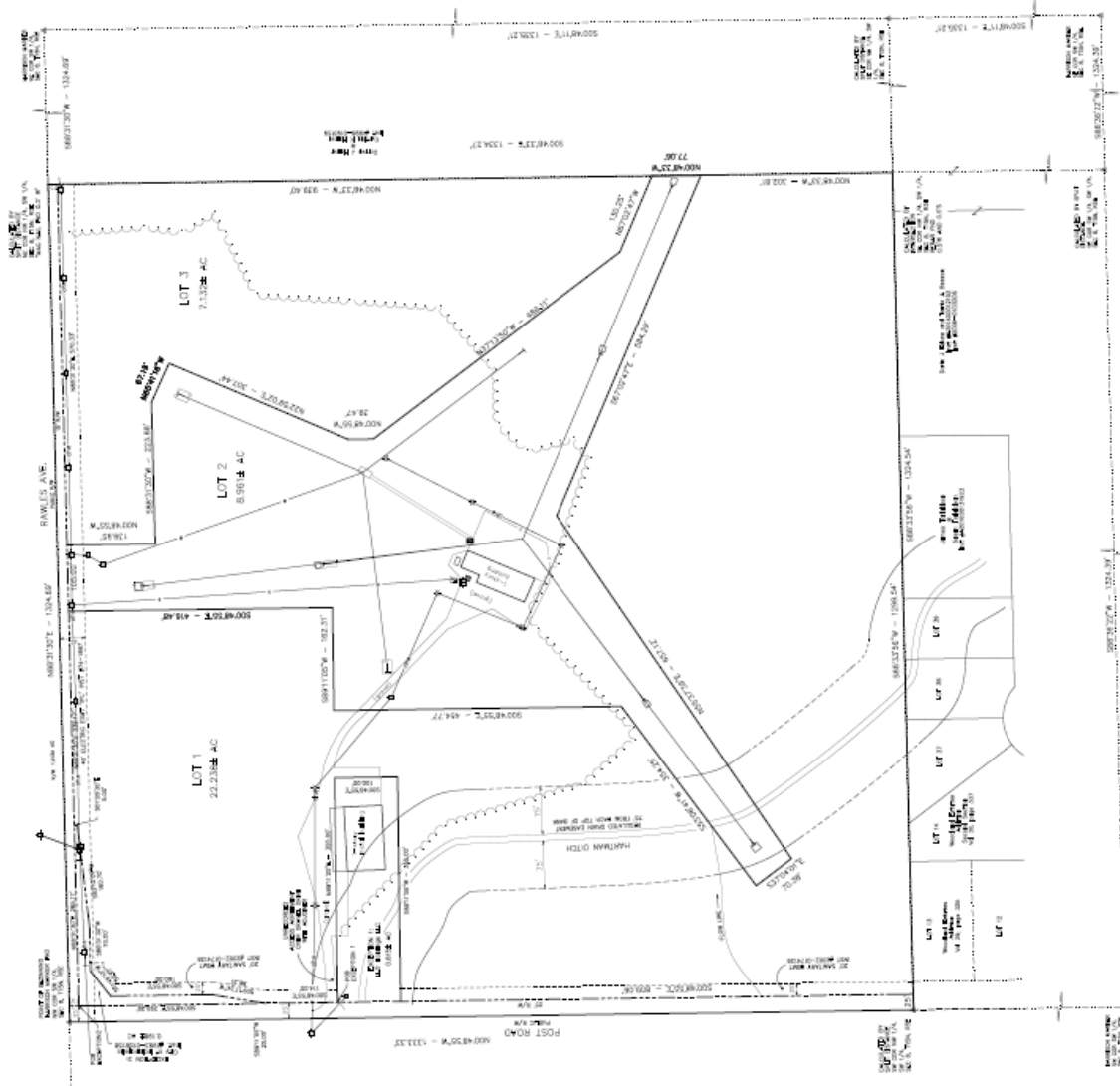
PART OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 8, TOWNSHIP 15 NORTH, RANGE 5 EAST,
MARION TOWNSHIP, MARION COUNTY, INDIANA



STRUCTUREPOINT
18427 03
1 of 2
7/25/2023 .001 MS 2023.124122

Prepared By:
Brett J. Brown

DATE: 7/25/2023
TIME: 10:00 AM
PROJECT: 18427 03
DRAWING: 1 of 2
SCALE: 1" = 40' 0"



PHOTOS



Proposed Lots Two and Three viewed from Rawles Avenue



Proposed Lot Two Rawles Avenue Frontage



Proposed Lot One at the intersection of Rawles Avenue and Post Road, looking south



Existing communications equipment on Lot Two viewed from Post Road



Lot One viewed from Post Road, looking northeast. Rawles Avenue visible in the background



Proposed Lot One and existing property at 507 Post Road



Proposed Lot One frontage on Post Road



Proposed Lot One frontage on Post Road



**Department of Metropolitan Development
Division of Planning
Current Planning**

PLAT COMMITTEE

August 9, 2023

Case Number: 2023-PLT-050
Property Address: 4310 North Carroll Road (*Approximate Address*)
Location: Warren Township, Council District #14
Petitioner: Lennar Homes of Indiana, LLC, by Brett Huff
Zoning: D-P
Request: Approval of a Subdivision Plat, to be known as Clifton Trace, Section One, dividing 12.34 acres into 29 lots.
Waivers Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 26, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.



Department of Metropolitan Development
Division of Planning
Current Planning

10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
12. That a lighting plan compliant with Section 744-600 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
13. That a site plan including a concrete sidewalk along the entire frontage on _Road in compliance with Section 744-302 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is zoned D-P and is undeveloped. It was rezoned to the D-P classification in 2004 (2004-ZON-070) to provide for the proposed single-family residential development. The D-P was amended in 2005 to include a 32-acre park (2005-APP-084); this area is shown as Block P on the preliminary plat. The subject petition would be Section One of Clifton Trace. The proposed plat generally meets the standards of the zoning classification and the zoning commitments.

STREETS

The plat would provide for three new streets: two local streets and one cul-de-sac. The access street on the south would provide access to 42nd Street to the south. The intersecting streets end with a cul-de-sac to the west, and a local street to connect future sections to the east.

SIDEWALKS

Sidewalks are required along Carroll Road, 42nd Street, and all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	3.5-5 Residential Units per Acre / Airport Related Mixed Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: DP / SU-2	Single-Family Residential / School
	South: D-A / D-P / D-3	Single-Family Residential
	East: Hancock County	Agriculture / Residential
	West: D-P	Single-Family Residential
Thoroughfare Plan		
Carroll Road	Primary Collector	~36-feet existing and 106-feet proposed
42 nd Street	Primary Collector	50-feet existing and 80-feet proposed
Petition Submittal Date	June 26, 2023	

SUBDIVISION PLAT REGULATIONS

741-203

Required Documents for Approval

EVALUATION

	<p>741.201.A-C – Primary Plat Requirements:</p> <ul style="list-style-type: none"> • <i>Plat name, Legal Description, Surveyor Seal, Scale.</i> • <i>Boundary Lines, Existing Street Names and dimensions.</i> • <i>Layout of Proposed Streets – names, widths, classifications.</i> • <i>Layout of all easements and purpose thereof.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> • <i>Area Map.</i> 	<p>Satisfied</p>
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> • <i>Traffic control street signs and devices.</i> • <i>Traffic calming devices.</i> • <i>Bicycle facilities.</i> • <i>Sidewalks and pedestrian facilities.</i> • <i>Transit facilities, such as bus stops pads or shelter.</i> • <i>Street lighting.</i> 	<p>Satisfied</p>
	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • <i>Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry</i> • <i>Location of Open Space Areas of the open space common area, indicating size and general improvements</i> • <i>Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors)</i> 	<p>Satisfied</p>
	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • <i>The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property</i> • <i>The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property;</i> • <i>Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;</i> • <i>The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation; and</i> • <i>The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law.</i> 	<p>None Requested</p>

**Department of Metropolitan Development
Division of Planning
Current Planning**

741-300 Design and Installation Standards	<i>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</i>	EVALUATION
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • Comply with zoning district and any cluster approval or variance grant. • Lots must have positive drainage away from buildings. • No more than 25% of lot area may be under water. • Side lots lines at right angles to streets or radial to curving street line. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. 	Satisfied
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • Through lots should be avoided except where necessary for primary arterial separation and topography challenges. • Triple frontage lots are prohibited. • Lots abutting alleys must have vehicular access exclusively from alley. • Lots shall not have direct access to arterial streets. • Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet. 	Satisfied
	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • Shall not exceed maximum block lengths per Table 741-302.1 • If exceeded, it must be demonstrated that: <ul style="list-style-type: none"> ○ There are improved pedestrian easements at intervals of 400 feet or less. ○ Adequate traffic calming provisions are made. ○ The block length must be exceeded because of physical conditions of the land. 	Satisfied

**Department of Metropolitan Development
Division of Planning
Current Planning**

741-303 Streets and Connectivity	All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.	EVALUATION
	<p><i>741-303.A – General:</i></p> <ul style="list-style-type: none"> Subdivisions shall provide a logical street layout in relation to topographical conditions, public convenience, safety, multi-modal use and the proposed use of the land to be served by such streets. <i>Triple frontage lots are prohibited.</i> Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees. Not more than two streets shall intersect at any one point. Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets. All streets shall be dedicated to the public. Alleys may be private. Turn lanes or other improvements recommended by the Department of Public Works shall be added to the existing street system to minimize the impact of the connection upon the existing street system. 	Satisfied
	<p><i>741-303.B – Through Connectivity (Metro Context Area):</i></p> <ul style="list-style-type: none"> Emergency vehicles must not have to use more than two different local streets (any street other than a primary arterial, a secondary arterial or a collector street) to reach their destination. Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited. All existing or platted streets that terminate at the property boundary line of a proposed subdivision shall be continued into the proposed subdivision to provide street connections to adjoining lands and streets within the proposed subdivision. Streets entering opposite sides of another street shall be laid out either directly opposite one another or with a minimum offset of 125 ft. between their centerlines. Whenever cul-de-sac streets are created, a 15-foot-wide pedestrian access/public utility easement shall be provided between the cul-de-sac head or street. Subdivisions with 30 or more lots shall have more than one entrance to the existing street network. 	Satisfied
	<p><i>741-303.D – Cul-de-sacs (Metro Context Area):</i></p> <ul style="list-style-type: none"> In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units. 	Satisfied
741-304-316 Additional Development Items		EVALUATION
	<p><i>741.304.A-C – Traffic Control Devices:</i></p> <ul style="list-style-type: none"> <i>Street name signs, traffic control signs, bike route signs.</i> <i>Traffic control devices for streets exceeding 900 feet in length.</i> <i>Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units.</i> 	Satisfied

**Department of Metropolitan Development
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Current Planning**

741.305 – Numbering and naming:	<ul style="list-style-type: none"> Street numbering per adopted addressing guidelines. Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street. 	Street numbering not submitted
741.306 – Sidewalks:	<ul style="list-style-type: none"> Sidewalks shall be provided along all internal and external streets. 	Satisfied
741.307-309 – Easements, Utilities, Stream Protection Corridors:	<ul style="list-style-type: none"> Utility easements shall be located along lot lines and shall be a minimum of 10 feet. All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance. Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise. All utilities shall be located underground. All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205. 	Satisfied
741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):	<ul style="list-style-type: none"> Required for subdivisions with more than 20 dwelling units. Access easements shall be provided to connect all common areas to a public street right-of-way. The minimum width of such access must be at least 15 feet. Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping. Additional Open Space Requirements: Community garden, dog park, game court, picnic area, playground, pool, etc. Additional component required for every 30 additional dwelling units overall. Reservation of land for public/semi-public purpose. 	Satisfied
741-312 – Monuments	<ul style="list-style-type: none"> Permanent reference monuments shall be placed in the subdivision by a Professional Surveyor. Where no existing permanent monuments are found, monuments must be installed no more than 600 feet apart in any straight line and in accordance with the schedule in Table 741-312-1. 	Satisfied
741.313 – Flood Control:	<ul style="list-style-type: none"> All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District). Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded. For Zone AE areas, the plat must show the BFE topographic line. For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps. 	Satisfied
741.316 – Street Lighting:	<ul style="list-style-type: none"> All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting). 	Not Satisfied- See Commitment #12

EXHIBITS



[illegible]

PHOTOS



Subject site viewed from 42nd Street, looking northeast



Subject site viewed from intersection of Winding Park Drive and 42nd Street, looking northwest



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

August 9, 2023

Case Number:	2023-PLT-051
Property Address:	1435 S Alabama Street, <i>Approximate Address</i>
Location:	Center Township, Council District #16
Petitioner:	ISG Properties, LLC, by Jynell D. Berkshire
Zoning:	D-5
Request:	Approval of a Subdivision Plat, to be known as Moss's Alabama Street Addition, dividing 0.17-acre into two single-family attached lots.
Waiver Requested:	None
Current Land Use:	Two-Family Dwelling
Staff Reviewer:	Noah Stern, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 29th, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.



**Department of Metropolitan Development
Division of Planning
Current Planning**

10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.
11. No detached single-family dwellings shall be built on the individual lots.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is zoned D-5 and developed with a two-family dwelling. This proposed plat would divide the existing parcel into two lots. Lots One and Two would each contain half of the two-family dwelling with the lot line following the common wall and continuing through the rear of the lot. The subject site has been developed with a two-family dwelling since at least 1915, per the Sanborn map found below. This replat would allow the property owner to sell each of the parcels individually, rather than as one parcel, with minimal impact on the surrounding property owners.

STREETS

Lots One and Two would front on S Alabama Street, with alley access on the rear. No new streets are proposed.

PROCEDURE

This plat petition, if approved, only legally establishes the division of land. In the event that the existing duplex were to be removed, any new construction that does not conform to the site plan approved by variance would be required to meet all development standards of the D-5 Dwelling District, including, but not limited to, setbacks, minimum lot width and frontage, and minimum open space.

GENERAL INFORMATION

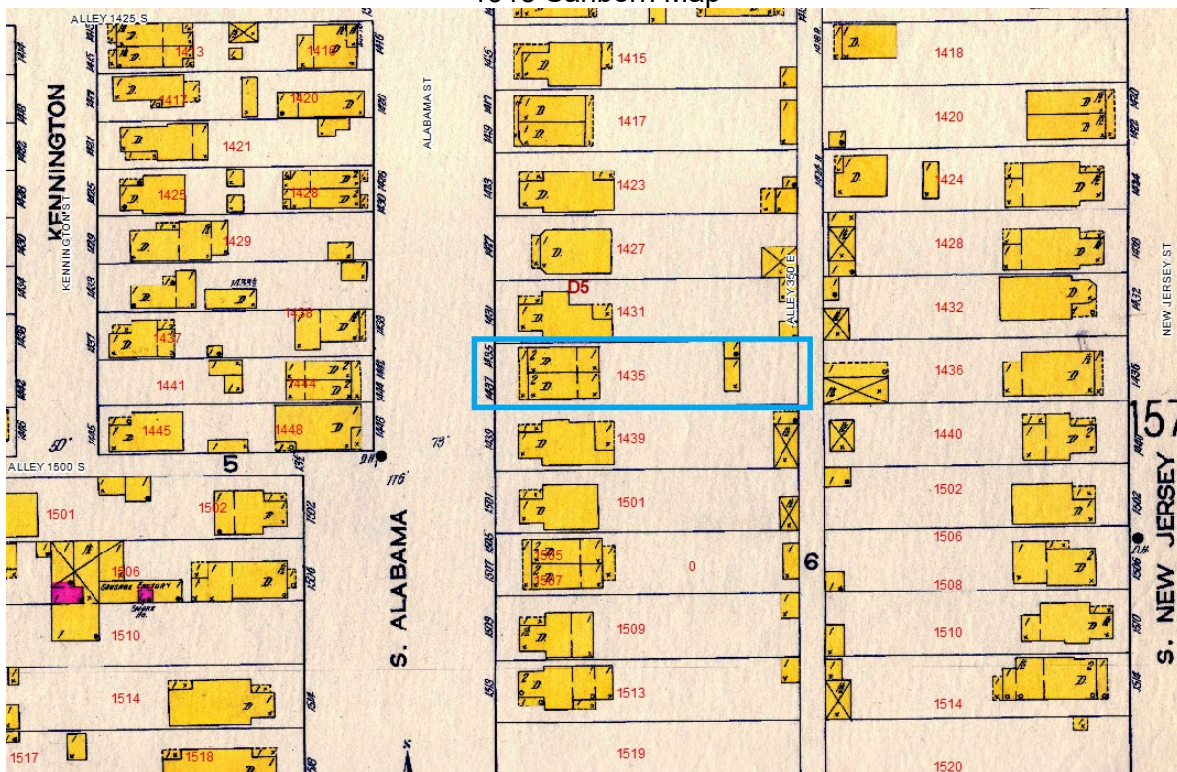
Existing Zoning	D-5	
Existing Land Use	Two-family dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-Family residential
South:	D-5	Single-Family residential
East:	D-5	Two-Family residential
West:	D-5	Single-Family residential
Thoroughfare Plan		
S Alabama Street	Local Street	73-foot existing and 48-foot proposed
Petition Submittal Date	June 29 th , 2023	

EXHIBITS

[illegible]



1915 Sanborn Map



PHOTOS









Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

August 9, 2023

Case Number:	2023-PLT-053
Property Address:	11625 Fox Road (<i>Approximate Address</i>)
Location:	City of Lawrence, Lawrence Township, Council District # 5
Petitioner:	11625 Fox Road, LLC, by Jynell D. Berkshire
Zoning:	C-4
Request:	Approval of a Subdivision Plat, to be known as Hamilton's Fox Road Addition, dividing 4.2 acres into two lots.
Waiver Requested:	None
Current Land Use:	Commercial
Staff Reviewer:	Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 30, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of Citizens Energy Group, City of Lawrence, Sanitation Section.
2. Subject to the Standards and Specifications of the Department of Public Works, City of Lawrence, Drainage Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
4. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
5. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
6. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
7. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.



**Department of Metropolitan Development
Division of Planning
Current Planning**

9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
10. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned C-4 and developed with a commercial integrated center. The proposed plat would subdivide the property into two lots to provide for a future commercial development. The proposed plat meets the standards of the C-4 zoning classification.

STREETS

Lot One and Two would front on Fox Road to the north. No new streets are proposed as part of this petition.

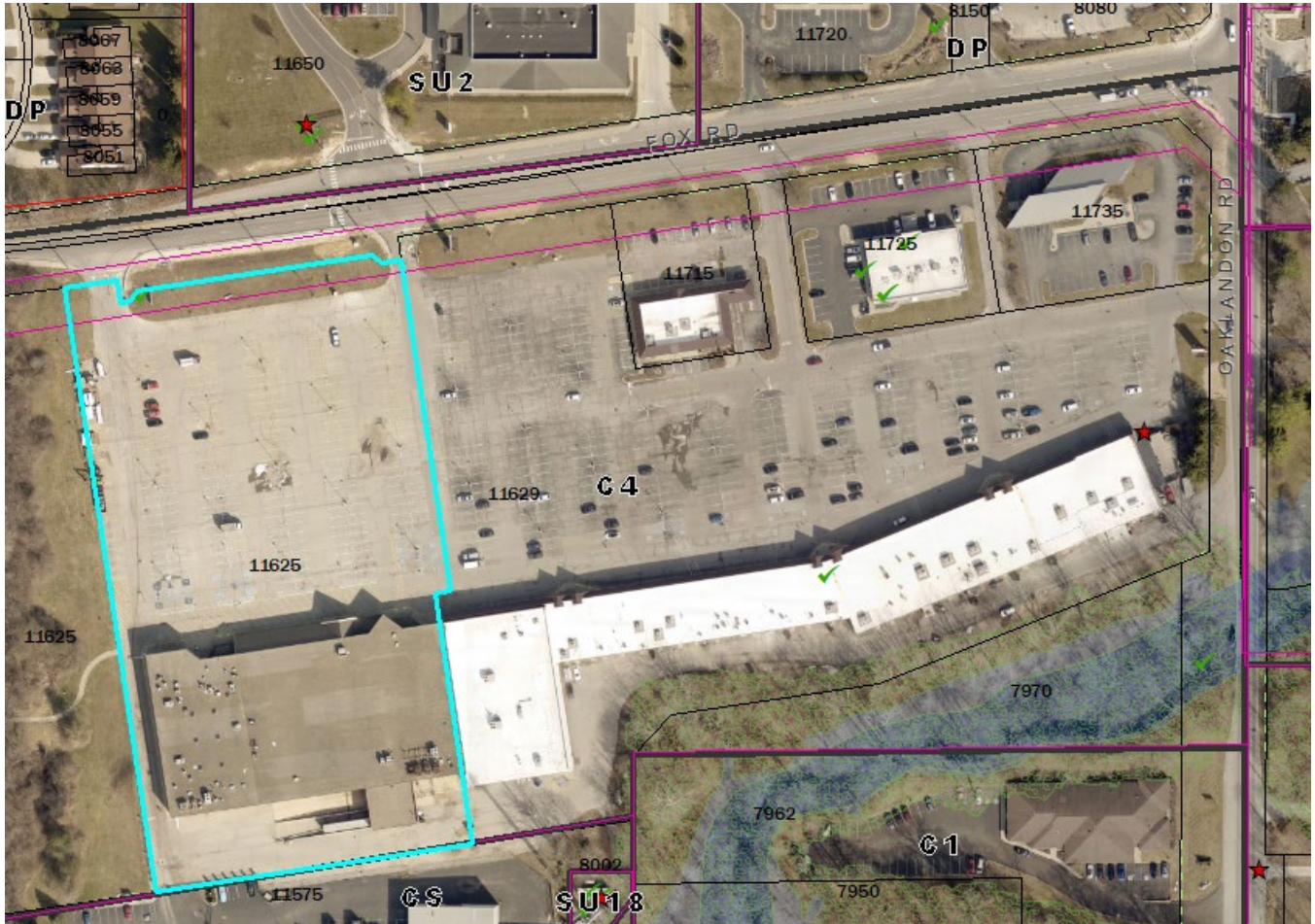
SIDEWALKS

Sidewalks are existing along Fox Road.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial Integrated Center	
Comprehensive Plan	Community Commercial	
Surrounding Context	Zoning	Land Use
North:	SU-2 / D-P	School / Residential / Commercial
South:	C-S	Industrial
East:	C-4	Commercial
West:	C-4	Undeveloped
Thoroughfare Plan		
Fox Road	Primary Collector	85-foot existing and proposed
Petition Submittal Date	June 30, 2023	

EXHIBITS



37

Plat Detail



PHOTOS



Proposed Lot Two, looking south



Proposed Lot Two, looking south



Proposed Lot One, looking north



Proposed Lot One, looking northwest

PLAT COMMITTEE

August 9, 2023

Case Number: 2023-PLT-054
Property Address: 11629 Fox Road (*Approximate Address*)
Location: City of Lawrence, Lawrence Township, Council District # 5
Petitioner: Geist Center BGOG, LLC, by Jynell D. Berkshire
Zoning: C-4
Request: Approval of a Subdivision Plat, to be known as Fox Road Addition, dividing 8.45 acres into two lots.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 30, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, City of Lawrence, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, City of Lawrence, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned C-4 and developed with a commercial integrated center. The proposed plat would subdivide the property into two lots to provide for a future commercial development. The proposed plat meets the standards of the C-4 zoning classification.

STREETS

Lot One and Two would front on Fox Road to the north. Lot Two would also front on Oaklandon Road to the east. No new streets are proposed as part of this petition.

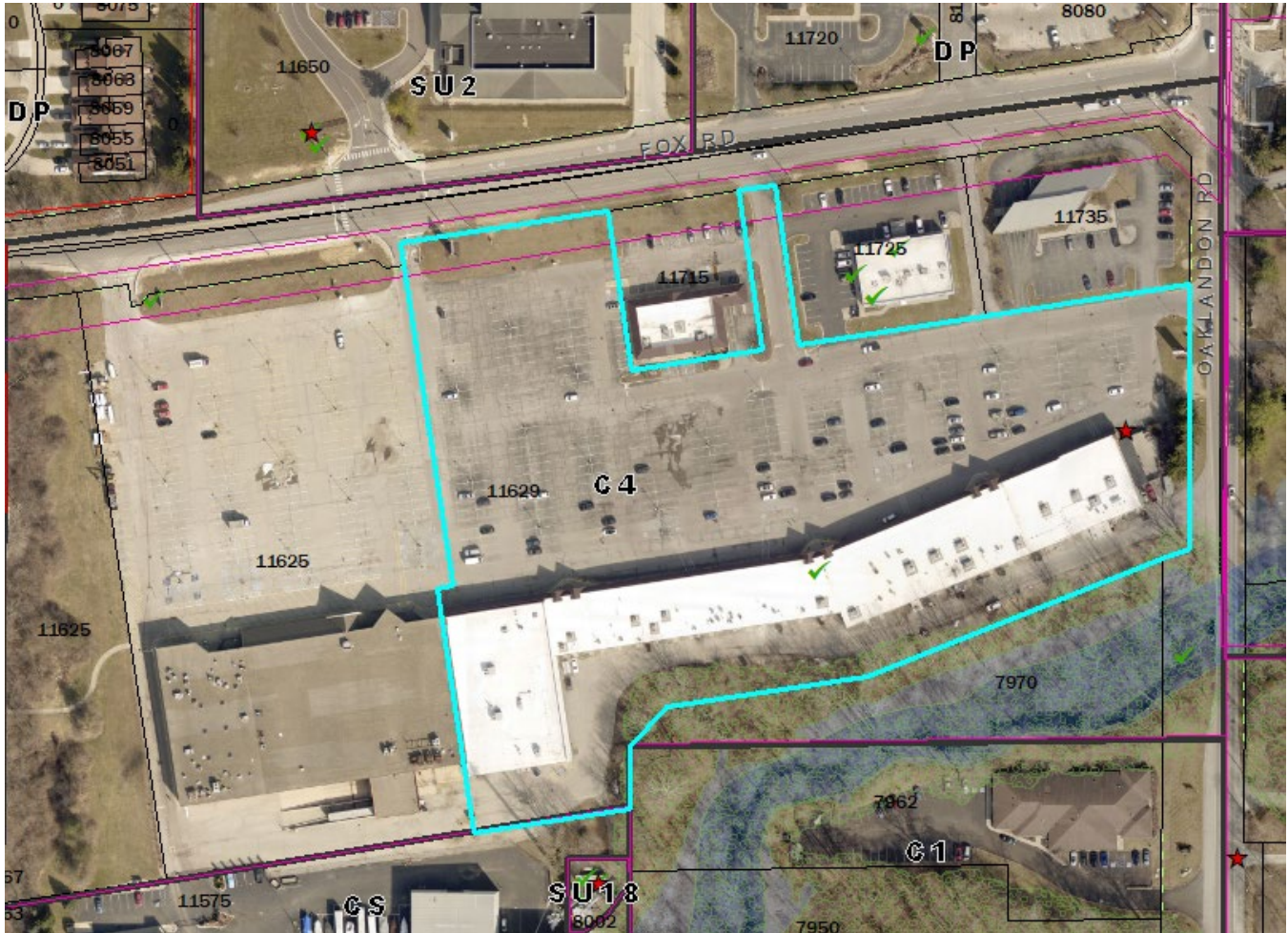
SIDEWALKS

Sidewalks are required along Fox Road and Oaklandon Road.

GENERAL INFORMATION

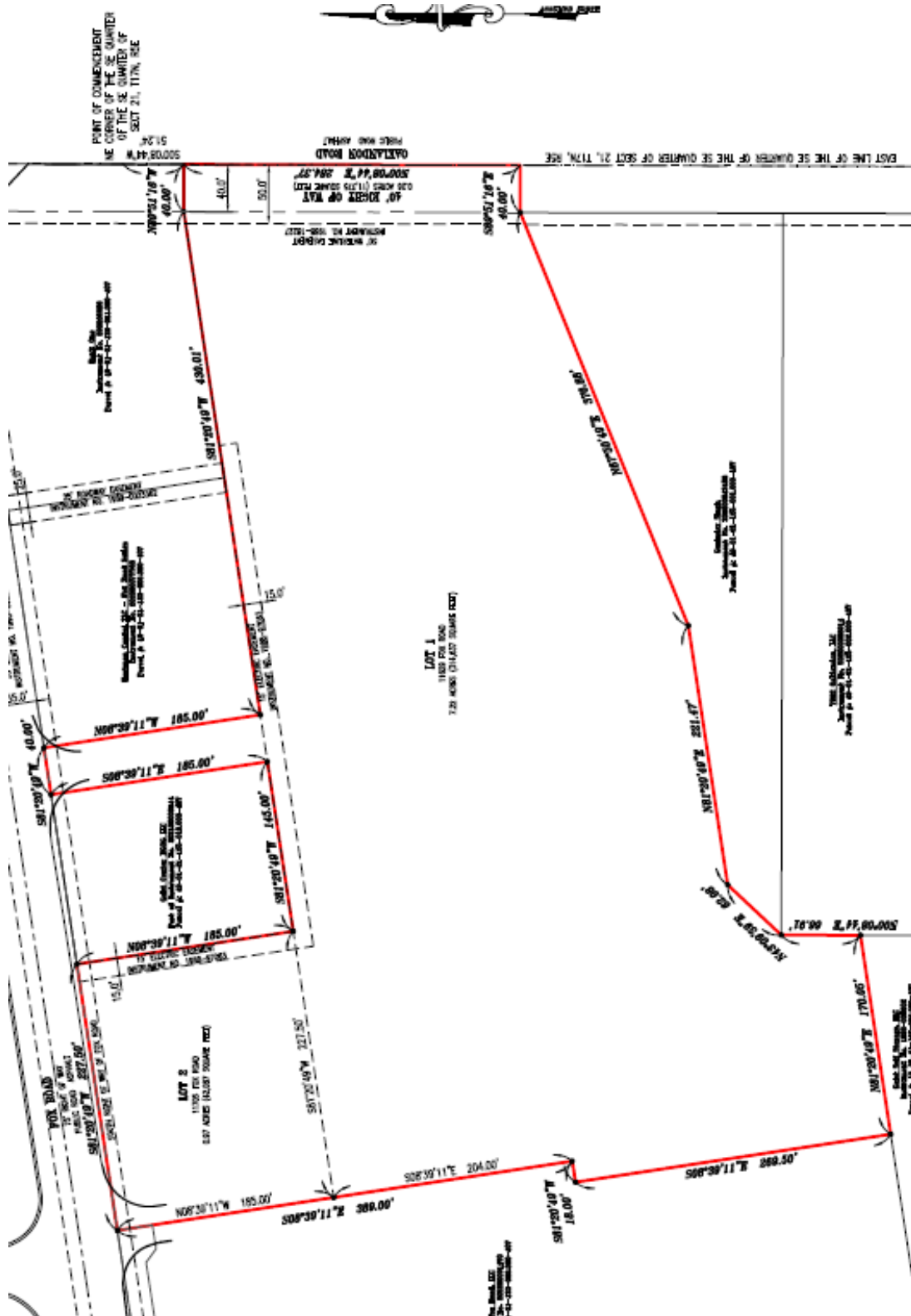
Existing Zoning	C-4	
Existing Land Use	Commercial Integrated Center	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	SU-2 / D-P	School / Residential / Commercial
South:	C-S / C-1 / C-4	Commercial / Industrial
East:	C-S	Commercial
West:	C-4	Commercial
Thoroughfare Plan		
Fox Road	Primary Collector	85-foot existing and proposed
Oaklandon Road	Primary Collector	60-foot existing and 80-foot proposed
Petition Submittal Date	June 30, 2023	

EXHIBITS



44

Plat Detail



PHOTOS



Proposed Lot Two, looking east



Proposed Lot One, looking east



Lots One and Two, looking east



Proposed Lot Two, looking northeast



Proposed Lot One, looking southeast

PLAT COMMITTEE

August 9, 2023

Case Number: 2023-PLT-055
Property Address: 5800 Stanley Road (*Approximate Address*)
Location: Decatur Township, Council District # 20
Petitioner: Midwest Logistics Partners, LP, by Greg Dempsey
Zoning: C-S (FF)
Request: Approval of a Subdivision Plat, to be known as Ameriplex Site 23, dividing 7.39 acres into two lots.
Waiver Requested: None
Current Land Use: Commercial / Industrial Site
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 30, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned C-S and is an undeveloped lot in an existing commercial and industrial park. The proposed plat would subdivide the property into two lots to provide for a commercial development. The proposed plat meets the standards of the C-S zoning classification.

STREETS

Lot One and Two would front on Ameriplex Parkway to the south, but do not have access to the right of way. Lot One would be accessed by Stanley Road to the east and Alta Lake Drive to the northwest. Lot Two would be accessed via Alta Lake Drive via easement. No new streets are proposed as part of this petition.

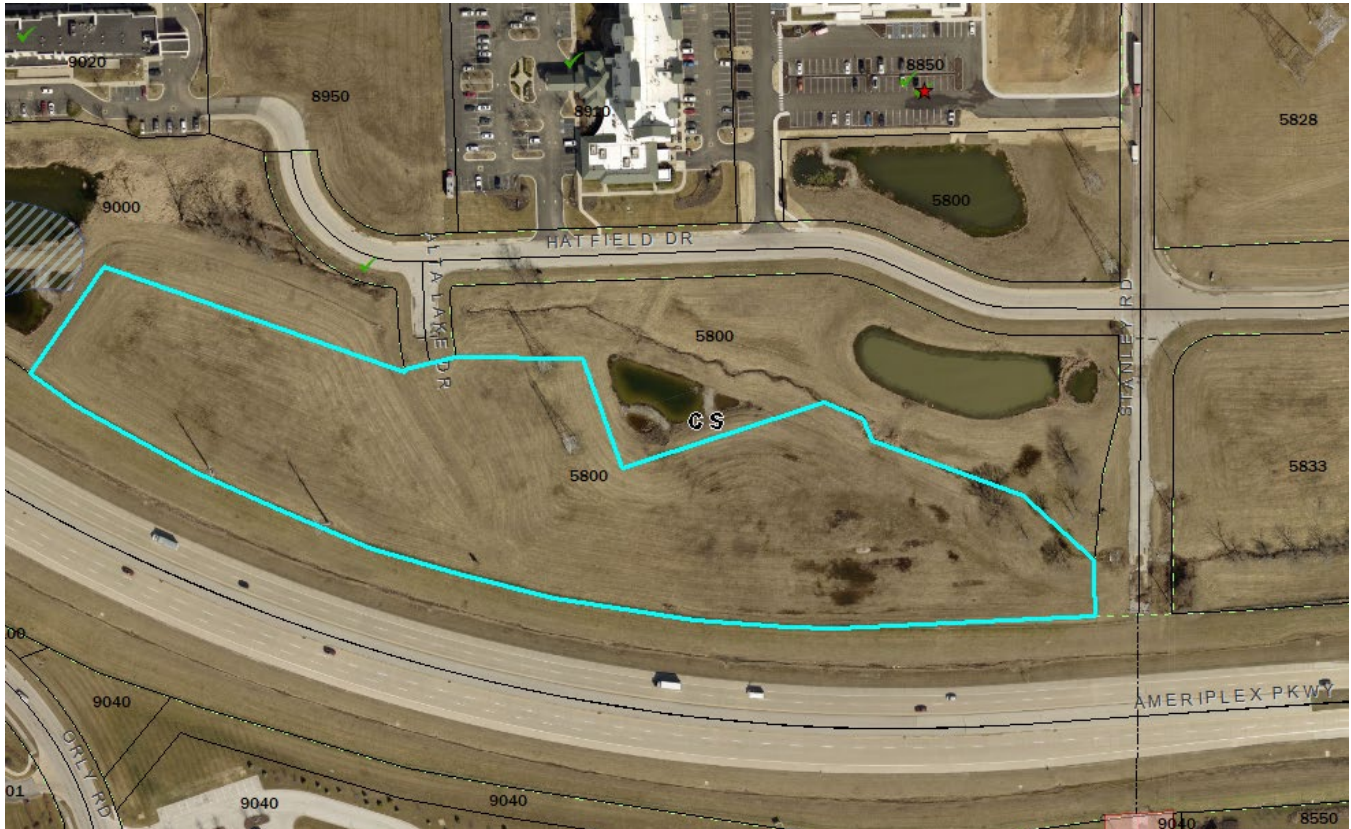
SIDEWALKS

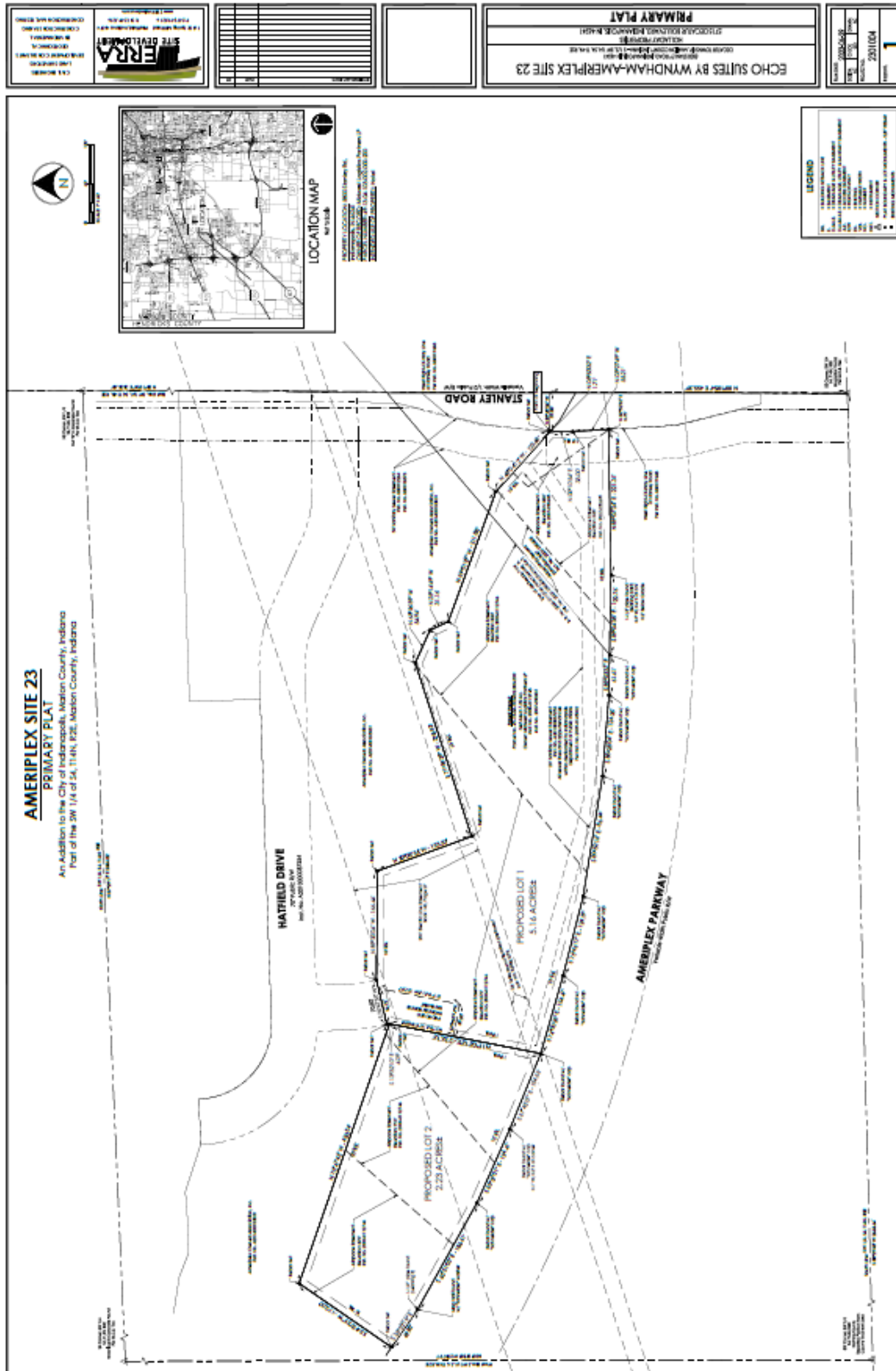
Sidewalks are required along Stanley Road and Alta Lake Drive.

GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Commercial and Industrial Park	
Comprehensive Plan	Light Industrial	
Surrounding Context	Zoning	Land Use
North:	C-S	Undeveloped
South:	C-S	Industrial
East:	C-S	Undeveloped
West:	C-S	Undeveloped
Thoroughfare Plan		
Stanley Road	Local Street	70-foot existing and proposed
Alta Lake Drive	Local Street	70-foot existing and proposed
Ameriplex Parkway	Primary Arterial	250-foot existing and proposed
Petition Submittal Date	June 30, 2023	

EXHIBITS

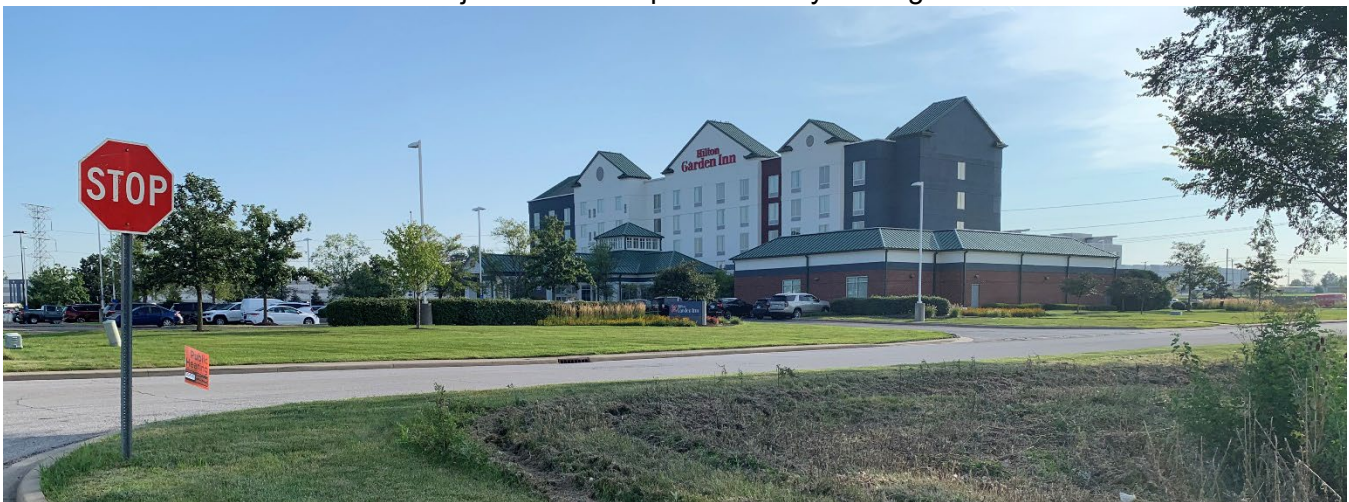




PHOTOS



Subject Site Ameriplex Parkway frontage



North of site



Proposed Lots One and Two viewed from Alta Lake Drive, looking south



Proposed Lot One viewed from Stanley Road, looking south



Stanley Road and east of site, looking south



Proposed Lot One and north of site, viewed from Stanley Road

PLAT COMMITTEE

August 9, 2023

Case Number: 2023-PLT-056
Property Address: 1402 South Post Road (*Approximate Address*)
Location: Warren Township, Council District # 18
Petitioner: Dogwood Development, LLC, and Martin Kenric Fall Trustee / Martin Kenric Fall Living Trust, by Tracy L. McGill
Zoning: D-A, SU-46, and I-3
Request: Approval of a Subdivision Plat, to be known as Replat Block A, Post Road Commerce Park, dividing 80.53 acres into two blocks.
Waiver Requested: None
Current Land Use: Airport / Industrial
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated June 28, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. That the applicant provides a bond, as required by Section 741-210, of the Consolidated Zoning and Subdivision Ordinance.
2. Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.
3. Subject to the Standards and Specifications of the Department of Public Works, Drainage Section.
4. Subject to the Standards and Specifications of the Department of Public Works, Transportation Section.
5. That addresses and street names, as approved by the Department of Metropolitan Development, be affixed to the final plat prior to recording.
6. That the Enforcement Covenant (Section 741-701, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording
7. That the Site Distance Covenant (Section 741-702, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.

9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the final plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.
11. That all the standards related to secondary plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the final plat.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned D-A, SU-46, and I-3 and developed with an airport and industrial park, plus an undeveloped area to the north. The proposed plat would subdivide the property into two blocks to provide for a future development. The proposed plat meets the standards of the existing zoning classifications.

STREETS

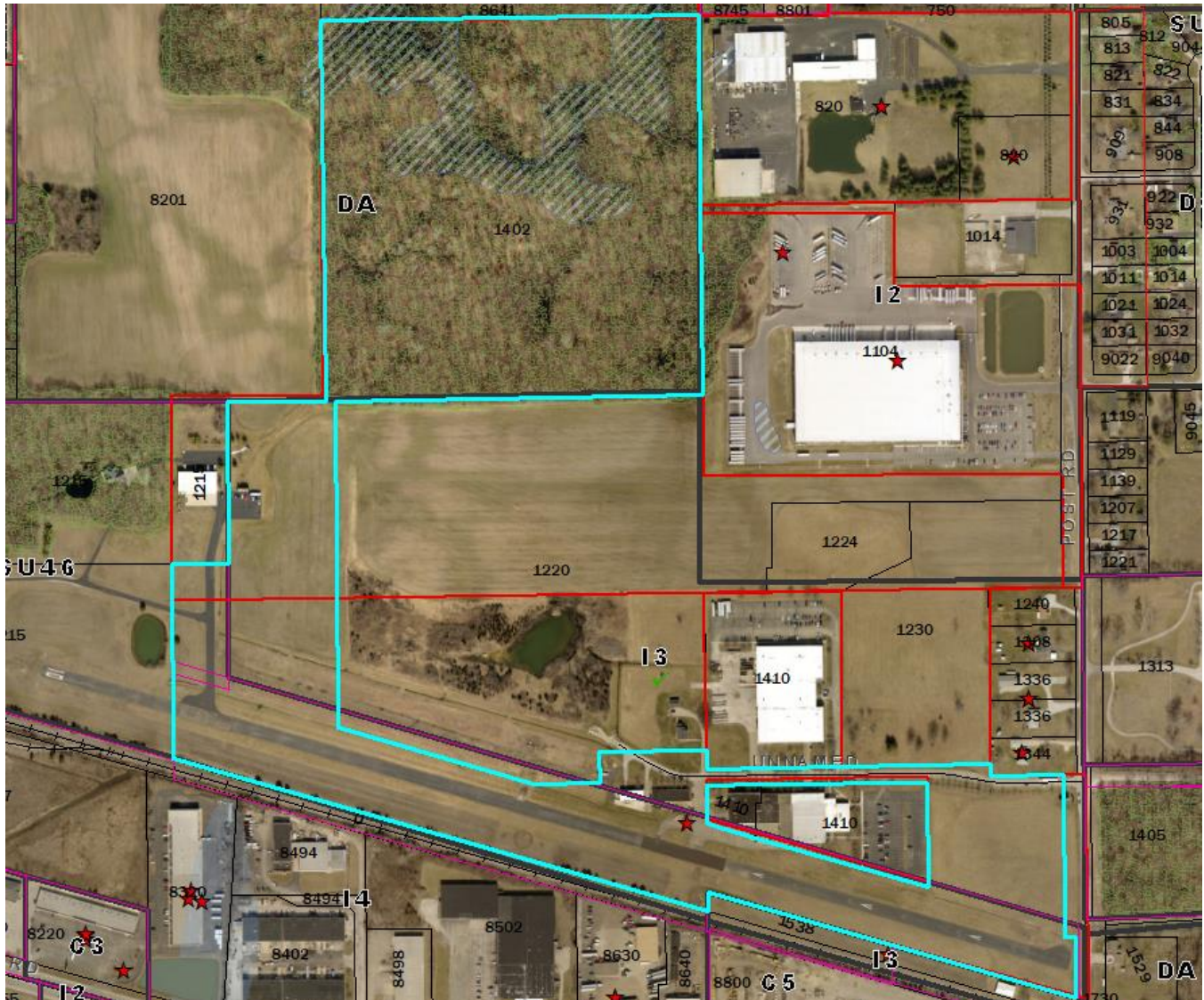
Block A2 would front on Post Road to the west. Block A1 would have internal access. No new streets are proposed as part of this petition.

SIDEWALKS

Sidewalks are required along Post Road.

GENERAL INFORMATION

Existing Zoning	D-A, SU-46, and I-3	
Existing Land Use	Airport / Industrial	
Comprehensive Plan	Light Industrial / Rural or Estate Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Undeveloped
South:	I-3 / I-4	Industrial
East:	I-2 / I-3 / D-A / SU-16	Industrial / Residential / Special Use
West:	D-A / SU-46	Airport / Undeveloped
Thoroughfare Plan		
Post Road	Primary Arterial	108-foot existing and 119-foot proposed
Petition Submittal Date	June 28, 2023	



PHOTOS



Proposed Block A2



Post Road Frontage

PLAT COMMITTEE

August 9, 2023

Case Number: 2023-VAC-003

Property Address: 1355 and 1515 North Senate Avenue, 227 West 14th Street, 120 West 15th Street, 155 West 16th Street and 1402 North Capitol Avenue (*Approximate Addresses*)

Location: Center Township, Council District #11

Petitioner: Indiana University Health, by Murray J. Clark

Zoning: CBD-S (RC)

Request: Vacation of a portion of right-of-way, air rights, and subterranean rights of Capitol Avenue, which has an elevation of 721 feet, from an elevation of 671 feet to an elevation of 733.88 feet, from a point 135.64 feet north of the southwest corner of Lot 3 in DeWolf's Subdivision as recorded in Plat Book Four, Page 38 in the Office of the Recorder of Marion County, Indiana, to a point 22.83 feet to west and seven feet in width, lying between 15th Street and 16th Street,

Vacation of a portion of right-of-way, air rights and subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 671 feet to an elevation of 735.69 feet, from a point 63.06 east of the northwest corner of Lot 1 in McKernan and Pierce's Subdivision of Lots 11 and 12 of Block 18 in Drake's Addition as recorded in Plat Book Two, Pages 81 and 95 in the Office of the Recorder of Marion County, Indiana, to a point 28.83 feet east and 5.33 feet in width, lying between vacated Senate Avenue (per Instrument No. A202000148626) and Capitol Avenue,

Vacation of an irregular-shaped portion of air rights of the south right-of-way of 16th Street and west right-of-way of Capitol Avenue, above 739.9 feet, being at least 18.9 feet above the grade of 16th Street and Capitol Avenue, which has an elevation of 721 feet, from a point 51.98 feet north of the southeast corner of Lot 3 in Block 28 of Drake's Addition to the City of Indianapolis, as recorded in Plat Book One, Pages 95 and 96 in the Office of the Recorder of Marion County, Indiana, to a point 111.02 feet north, thence west 144.17 feet and a maximum width of 22.34 feet,

Vacation of air rights of Capitol Avenue above 733.8 feet, being at least 12.8 feet above the grade of Capitol Avenue, which has an elevation of 721 feet, from a point 134.18 feet north of the southwest corner of Lot 3 in DeWolf's Subdivision as recorded in Plat Book Four, Page 38 in the Office of the Recorder of Marion County, Indiana, to a point 70 feet to the west and 25.75 feet in width, lying between 15th Street and 16th Street,

Vacation of air rights of 14th Street above 735.6 feet, being at least 14.5 feet above the grade of 14th Street, which has an elevation of 721 feet, from a point 62.65 feet west of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119-120 in the Office of the Recorder of Marion County, Indiana, to a point 30.25 east and 60 feet in width, lying between vacated Senate Avenue (per Instrument No. A202000148626) and Capitol Avenue,

**Department of Metropolitan Development
Division of Planning
Current Planning**

Vacation of subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 684.42 feet to an elevation of 717.58 feet, from a point 20.24 feet east of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119 and 120 in the Office of the Recorder of Marion County, Indiana, to a point 22.67 feet east along the north right-of-way of 14th Street, thence 60 feet south to the south right-of-way of 16th Street,

Vacation of a portion of subterranean rights of 14th Street, which has an elevation of 721 feet, from an elevation of 697.08 feet to an elevation of 715.75 feet, from a point 159.27 feet east of the southwest corner of Lot 7 in Block 23 of James P. Drake's Subdivision of Blocks 18, 23, and 29 of Drake's Addition to the City of Indianapolis as recorded in Plat Book One, Pages 119 and 120 in the Office of the Recorder of Marion County, Indiana, to a point 26.67 feet east along the north right-of-way of 14th Street, thence 60 feet south to the south right-of-way of 16th Street,

Waiver Requested: Assessment of benefits
Current Land Use: Unimproved
Staff Reviewer: Jeffrey York, Principal Planner

PETITION HISTORY

This is the first hearing for this vacation petition.

STAFF RECOMMENDATION

RECOMMENDED MOTION (approval): That the Plat Committee find that the proposed vacation is in the public interest; that a hearing upon the assessment of benefits be waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2023-VAC-003; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

PETITION OVERVIEW

SUMMARY

This request would provide for a vacation of air rights, subterranean and small portions of at-grade rights-of-way of 14th Street, 16th Street, and Capitol Avenue. Specifically, these vacation requests would provide for maintenance and utility tunnels beneath 14th Street, pedestrian walkways above 14th Street and Capitol Avenue, their support piers at grade level along 14th Street and Capitol Avenue and for entrance canopies along 16th Street and Capitol Avenue, for a developing hospital at the southwest corner of 16th Street and Capitol Avenue. The proposed structure obtained preliminary and conditional design approval through the filing of a Regional Center Approval petition on May 18, 2022, via 2022-REG-020.

The request would have no impact on pedestrians using the sidewalk or effect the use of 14th Street, 16th Street, or Capitol Avenue when the hospital building is complete.

PROCEDURE

Neither the Division of Planning nor the Plat Committee, Hearing Examiner or Metropolitan Development Commission determines how vacated right-of-way is divided. The approval of a vacation petition only eliminates the public right-of-way. The vacation approval does nothing more. A petitioner will not receive a deed or other document of conveyance after the approval of a vacation.

The general rule under Indiana case law is that when a street or highway is vacated or abandoned the title to the land reverts to the abutting property owners. This rule exists by virtue of the fact that the abutting land owner owns to the center of the street or highway subject only to an easement for the public to the use of the street or highway. *Gorby v. McEndarfer* 135 Ind.App. 74, *82, 191 N.E.2d 786, **791 (Ind.App.1963). However, there are possible exceptions to this general rule.

After a vacation of public right-of-way the county assessor determines how the vacated right-of-way will be assessed for tax purposes.

Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

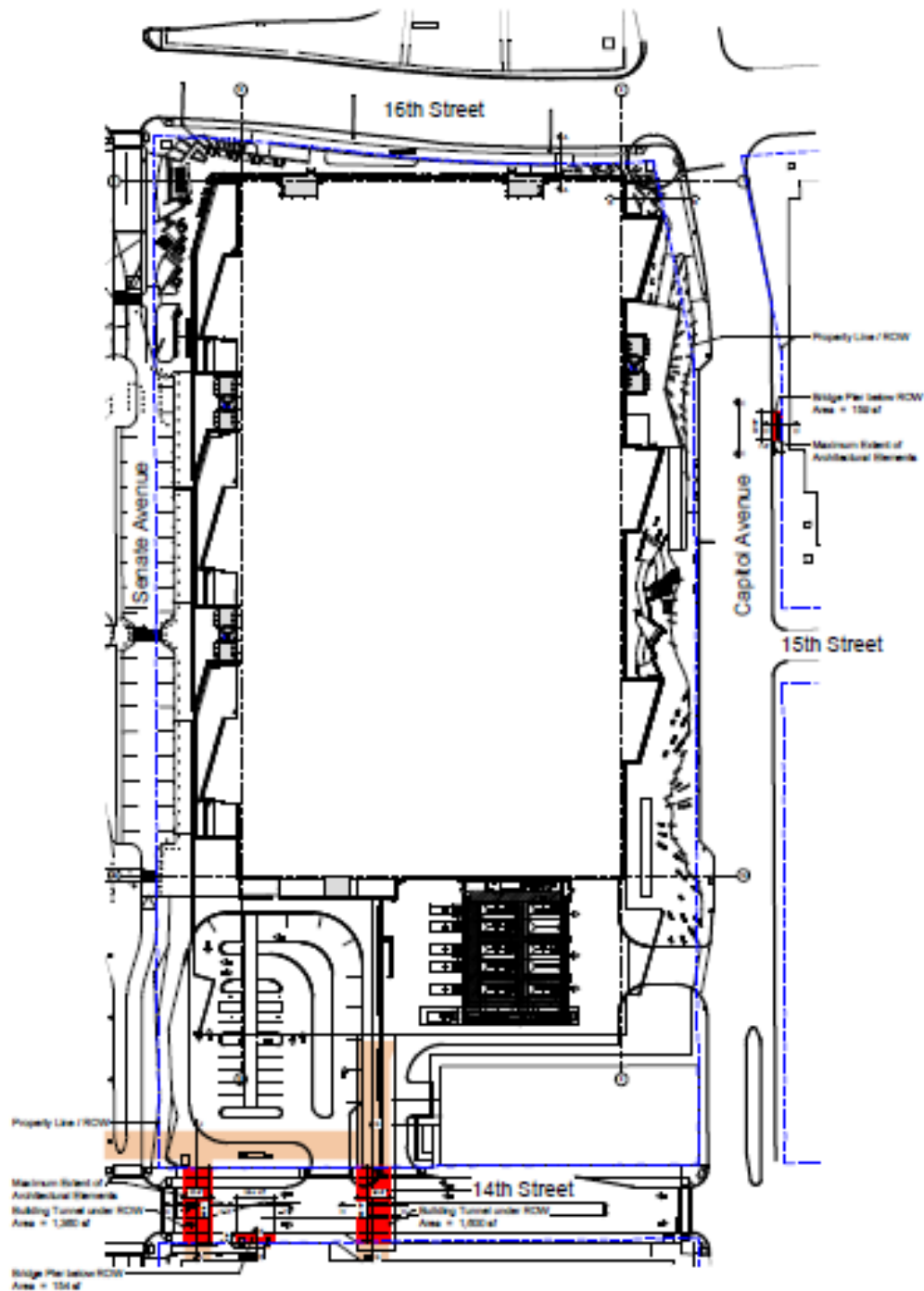
ASSESSMENT OF BENEFITS

A waiver of the assessment of benefits would be appropriate in that the proposed right-of-way vacation would not affect any improved right-of-way.

GENERAL INFORMATION

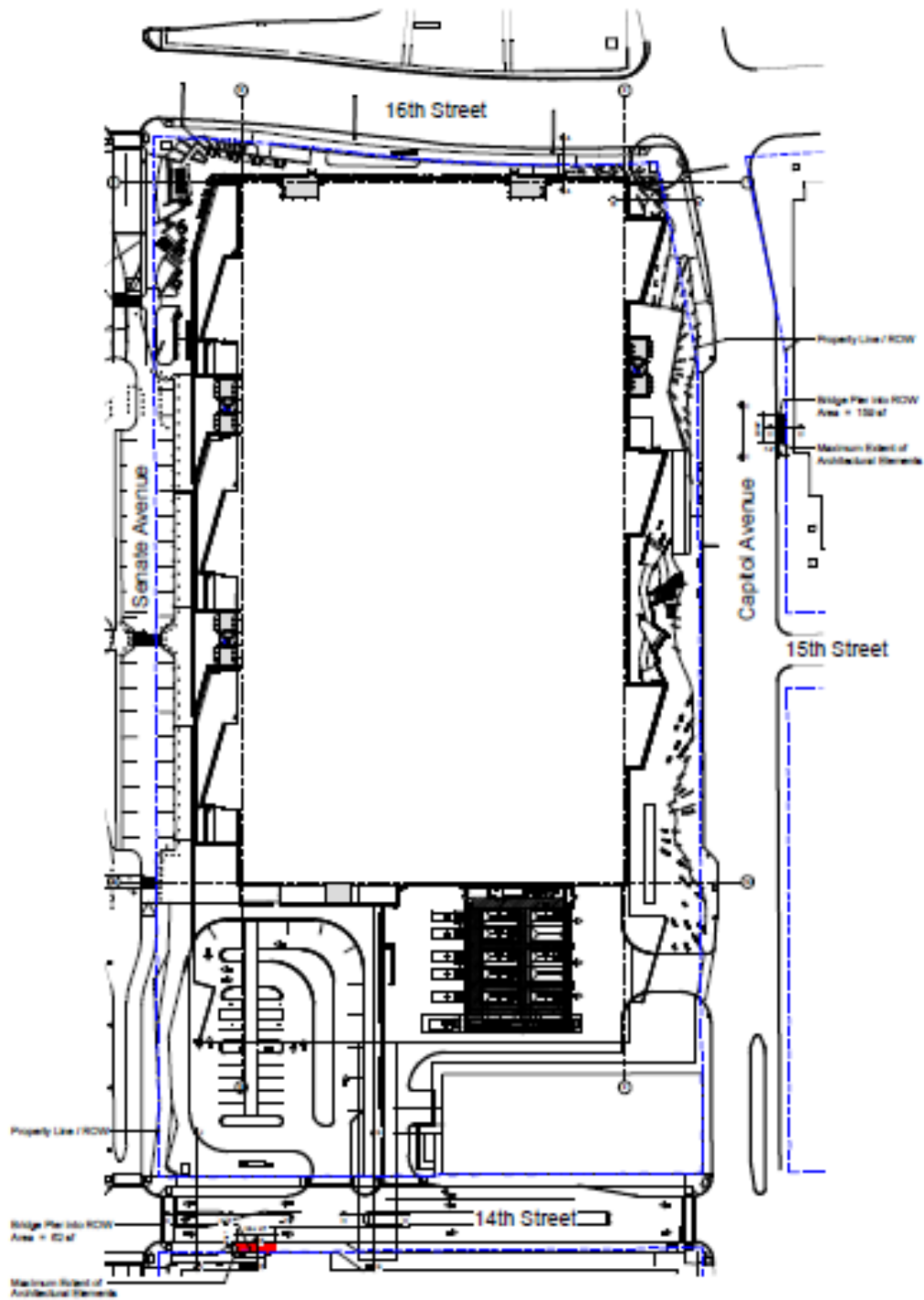
Existing Zoning	CBD-S (RC)	
Existing Land Use	Unimproved portions of public right-of-way	
Comprehensive Plan	Institution-oriented mixed-use (campus) development	
Surrounding Context	Zoning	Land Use
	North: HD-1	Methodist Hospital
	South: CBD-S (RC)	Retail (coffee shop)
	East: CBD-S (RC)	Developing medical office building and parking garage
	West: CBD-S (RC)	Medical Offices
Thoroughfare Plan		
16 th Street	Primary arterial	78-foot existing and proposed
Capitol Avenue	Primary arterial	78-foot existing and proposed
Petition Submittal Date	June 30, 2023	

Department of Metropolitan Development
 Division of Planning
 Current Planning



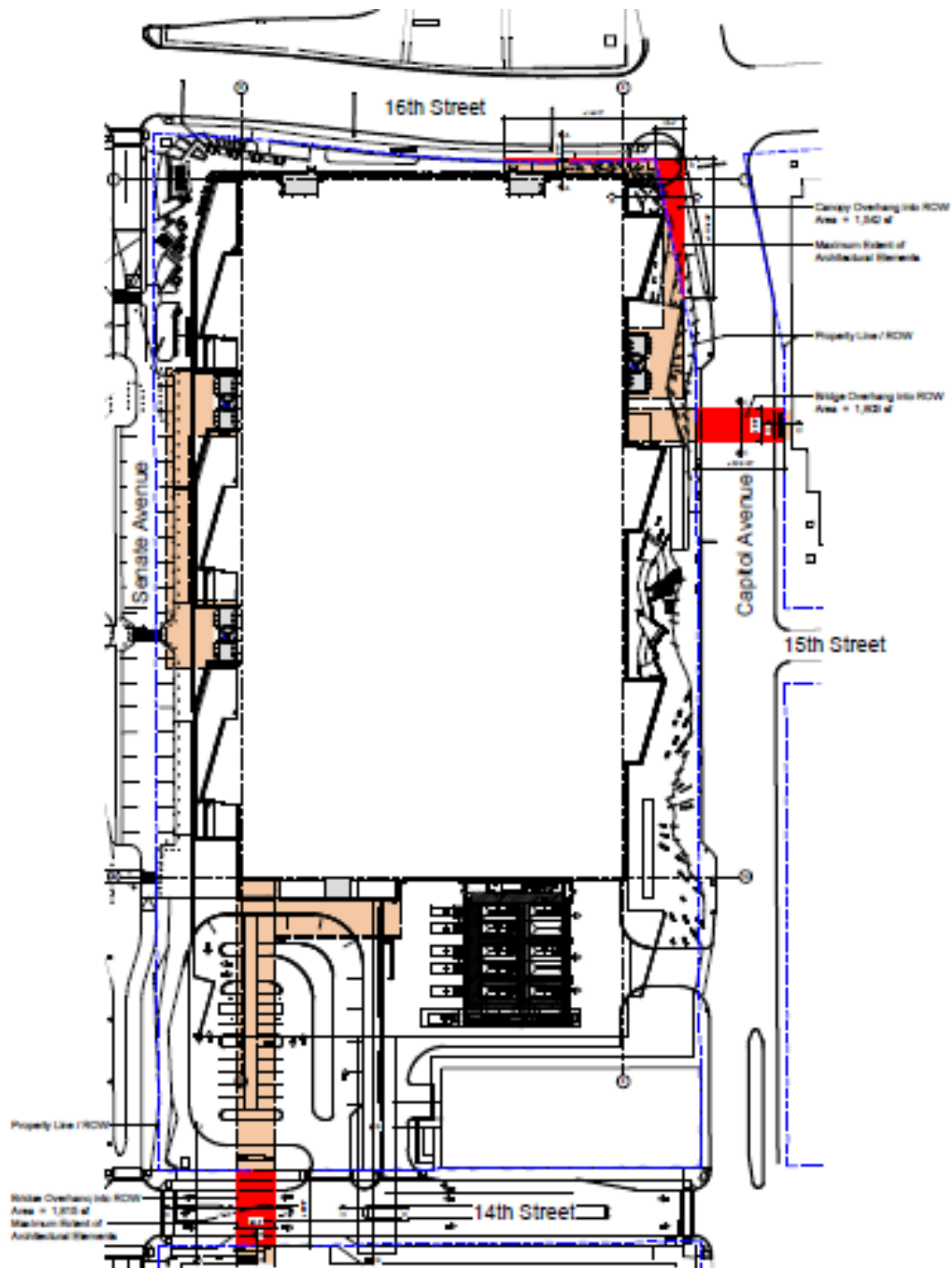
New downtown hospital
 ROW Vacation Diagrams - Below Grade Tunnel & Foundation

Below grade tunnel and foundation exhibit



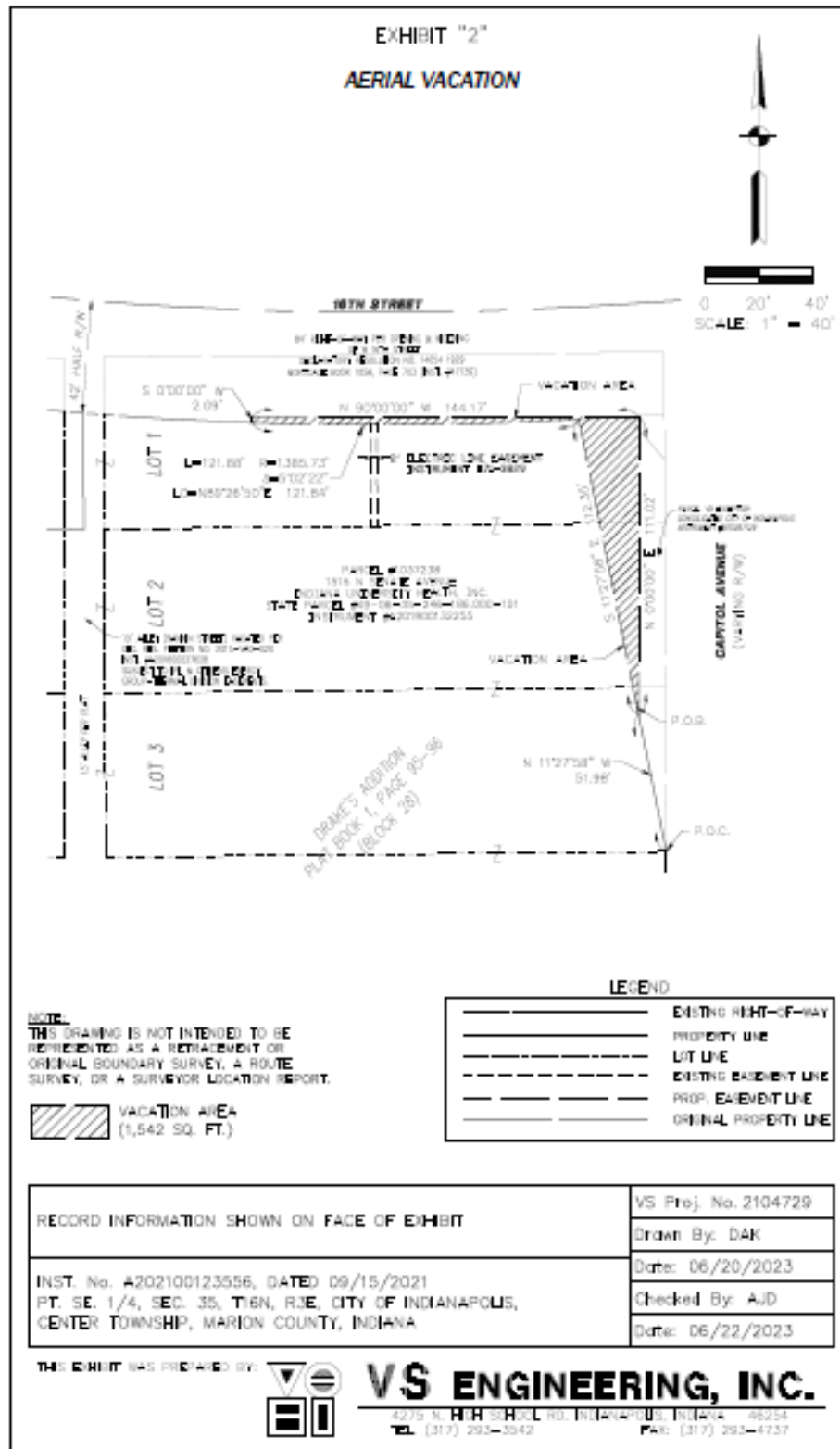
New downtown hospital
 ROW/Vacation Diagrams - At Grade Bridge Pier Overage

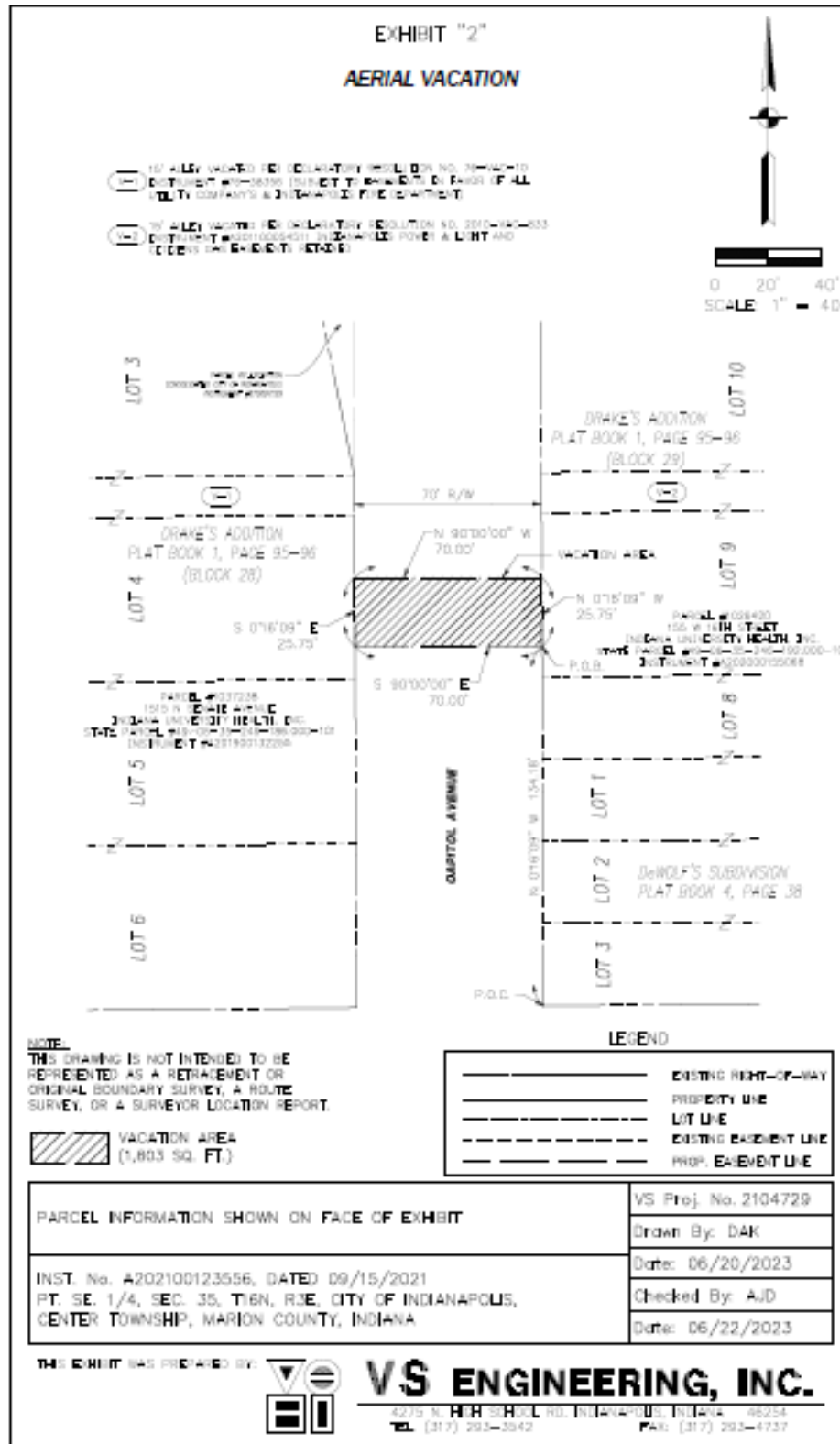
At grade bridge pier overage

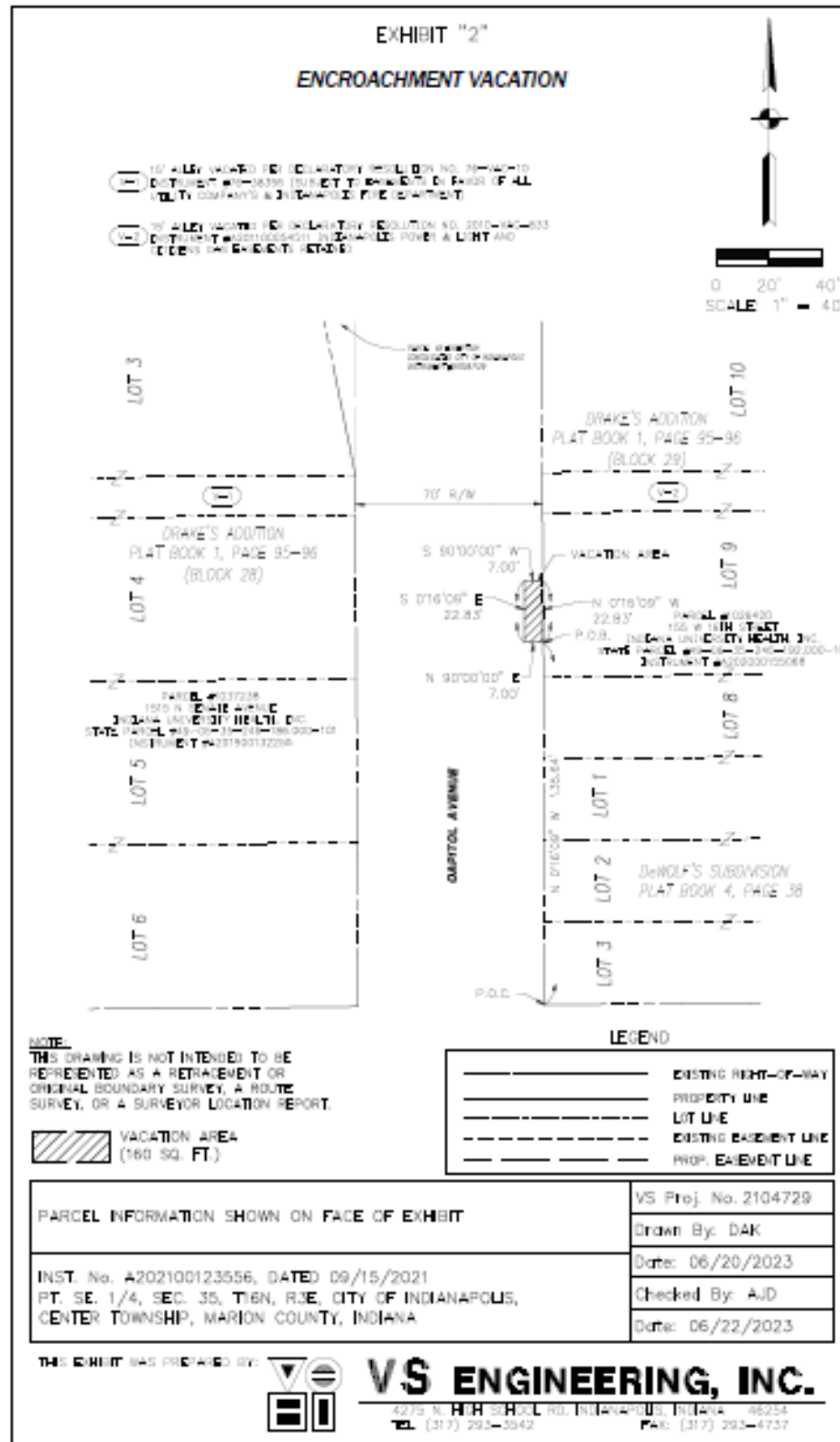


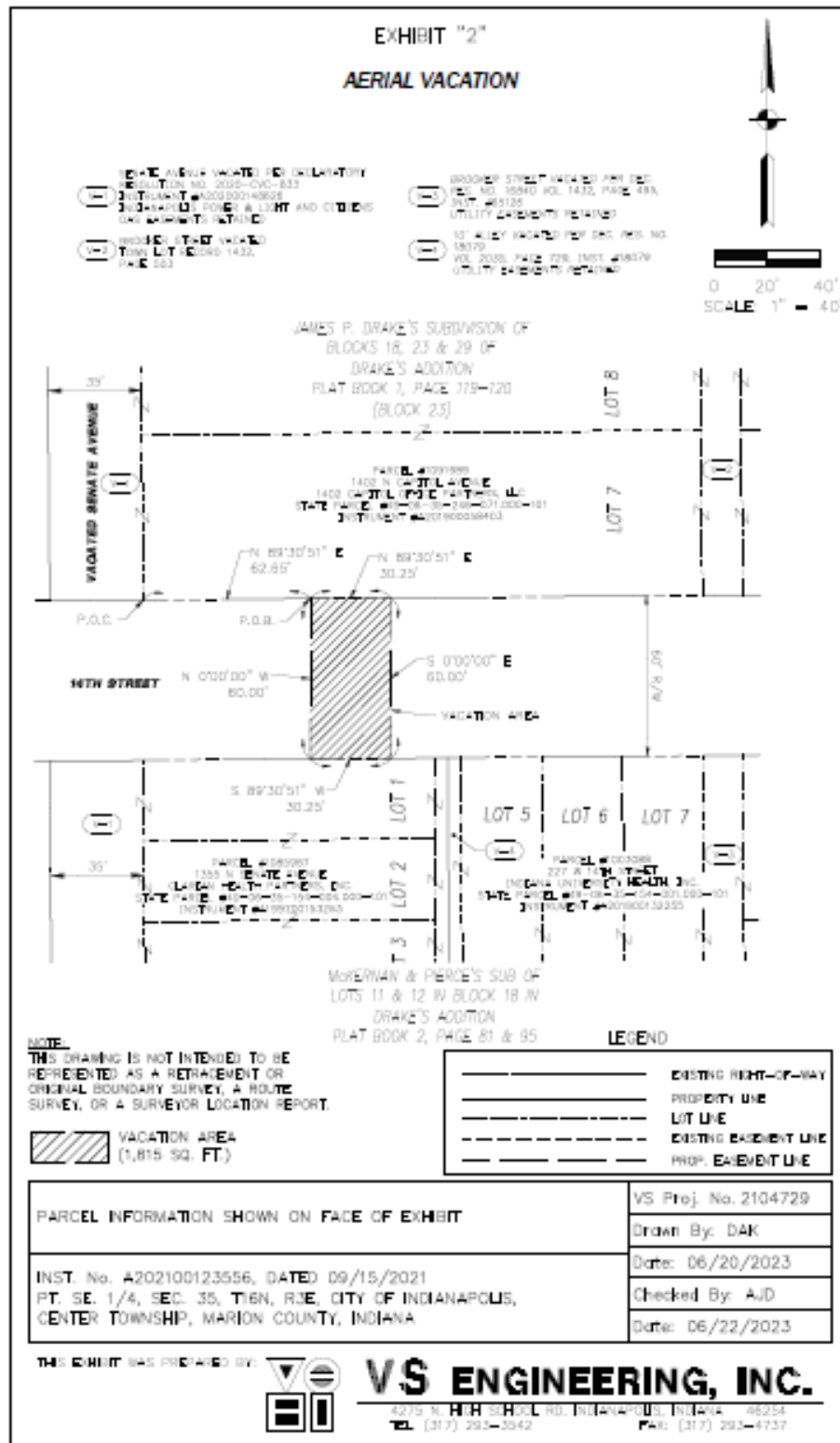
New downtown hospital
 ROW/Vacation Diagrams - Canopy & Bridge Overhang

Canopy and bridge overhang









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 Division of Planning
 Current Planning

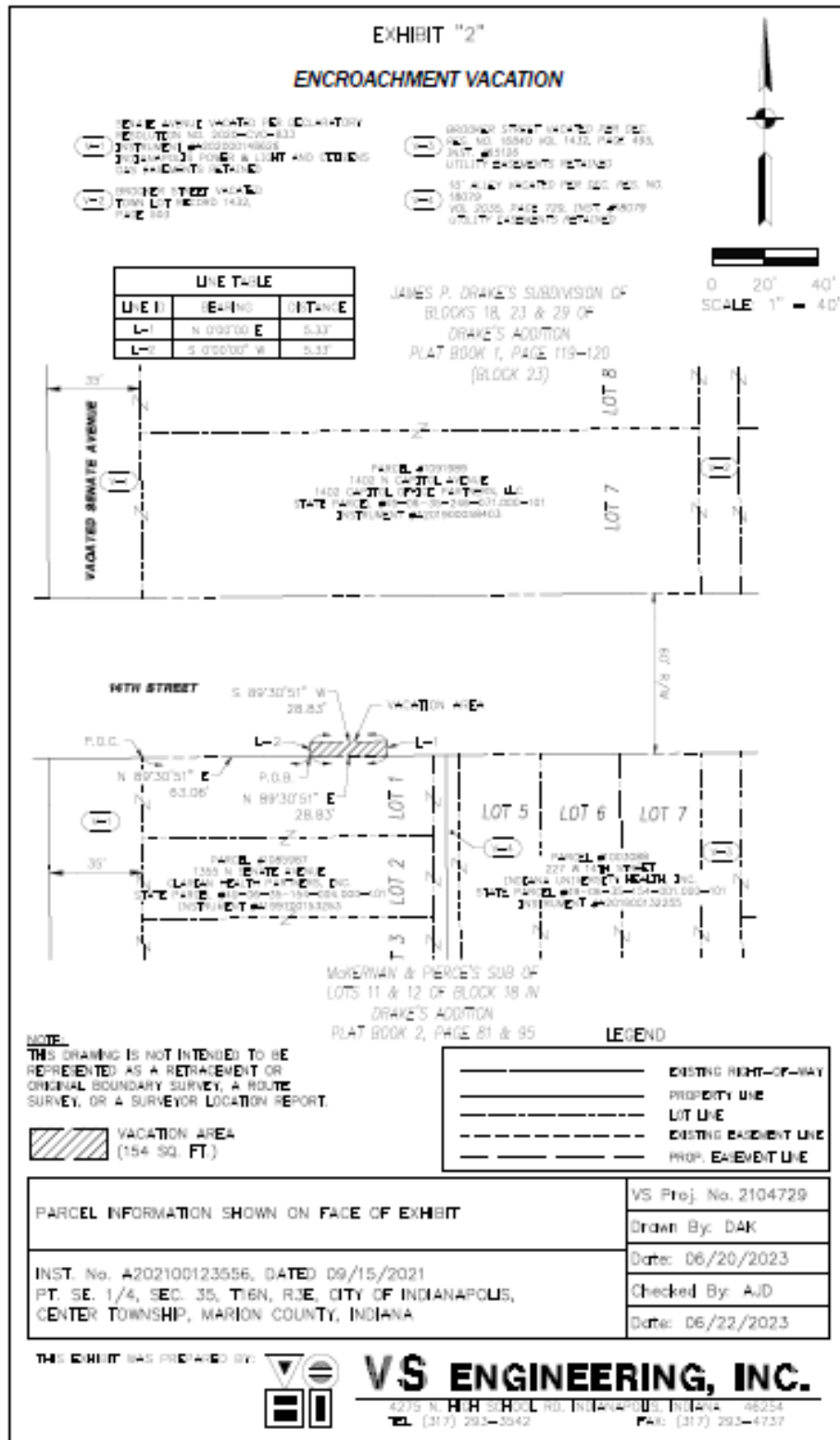


EXHIBIT "2"
ENCROACHMENT VACATION

JAMES P. DRAKE'S SUBDIVISION OF
BLOCKS 18, 23 & 29 OF
DRAKE'S ADDITION
PLAT BOOK 1, PAGE 119-120
(BLOCK 25)

MORESIAN & PERCE'S SUB OF
LOTS 11 & 12 IN BLOCK 18 IN
DRAKE'S ADDITION
PLAT BOOK 2, PAGE 81 & 85

NOTE:
THIS DRAWING IS NOT INTENDED TO BE
REPRESENTED AS A RETRAISEMENT OR
ORIGINAL BOUNDARY SURVEY, A ROUTE
SURVEY, OR A SURVEYOR LOCATION REPORT.

LEGEND

	VACATION AREA #1 (1,360 SQ. FT.)
	VACATION AREA #2 (1,600 SQ. FT.)
	EXISTING RIGHT-OF-WAY
	PROPERTY LINE
	LOT LINE
	EXISTING EASEMENT LINE
	PROP. EASEMENT LINE

PARCEL INFORMATION SHOWN ON FACE OF EXHIBIT

INST. No. A202100123556, DATED 09/15/2021 PT. SE. 1/4, SEC. 35, T16N, R3E, CITY OF INDIANAPOLIS, CENTER TOWNSHIP, MARION COUNTY, INDIANA	VS Proj. No. 2104729 Drawn By: DAK Date: 06/20/2023 Checked By: AJD Date: 06/22/2023
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THE EXHIBIT WAS PREPARED BY:

VS ENGINEERING, INC.
4275 N. HIGH SCHOOL RD., INDIANAPOLIS, INDIANA 46254
TEL: (317) 293-3042 FAX: (317) 293-4737

Photos

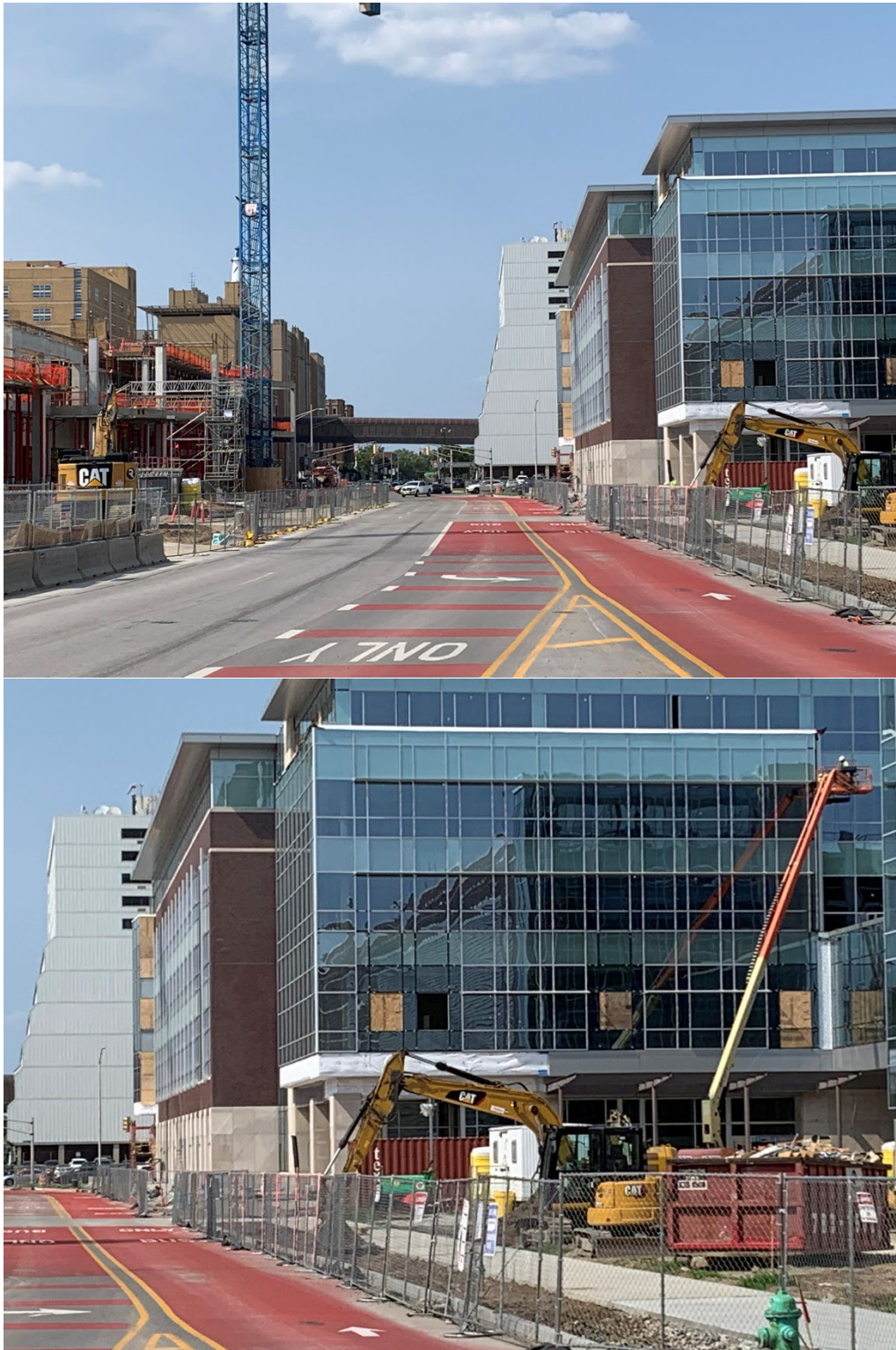


Hospital structure under construction at 16th Street and Capitol Avenue, looking southwest



Approximate location of encroachment into the 16th Street right-of-way, looking west from the intersection of Capitol Avenue

Department of Metropolitan Development
Division of Planning
Current Planning



Views of Hospital and office building – locations of proposed skywalk, skywalk structure and canopy encroachments



View of 14th Street where skywalk and tunnels would be located