



Metropolitan Development Commission Plat Committee (December 14, 2022) 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, December 14, 2022 **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:

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

1. 2022-PLT-074 (Amended) 5959 and 6005 Sunnyside Road | City of Lawrence, Lawrence Township, CD #5, Zoned C-3 and C-4

Sandlian Investments, LLC, by Janie Sandlian and Donna Jo Smithers

(Amended) Approval of a Subdivision Plat, to be known as Replat of Lot #2 & #3 U-STOR Sunnyside, dividing 11.438 acres into three lots.

2. 2022-PLT-079 | 10335 East 52nd Street | City of Lawrence, Lawrence Township, CD #5

Arbor Homes, by Kenny Moorhead

Approval of a Subdivision Plat, to be known as Silver Stream Subdivision, Section 3, dividing 18.9 acres into 79 lots.

3. 2022-PLT-080 | 1026 Tecumseh Street | Center Township, CD #17

Jordan Gleason, by Angela R. Smith

Approval of a Subdivision Plat, to be known as Aviators Tecumseh Addition, dividing 0.16-acre into two lots.

4. 2022-PLT-081 | 6006 East 86th Street | Lawrence Township, CD #3

Christopher Enright, NCARB, by Angela R. Smith

Approval of a Subdivision Plat, to be known as Replat of Castle Creek Commons Lot 2, dividing 2.369 acres into two lots.

[5.](#) 2022-PLT-082 | 6930 Mills Road | Decatur Township, CD #20

DR Horton – Indiana, LLC, by Keith R. Gilson

Approval of a Subdivision Plat, to be known as Cardinal Grove, Section 2B, dividing 12.249 acres into 51 single-family detached lots.

[6.](#) 2022-PLT-083 | 6501 Millhouse Road and 6930 Mills Road | Decatur Township, CD #20

DR Horton – Indiana, LLC, by Keith R. Gilson

Approval of a Subdivision Plat, to be known as Cardinal Grove, Section 2A, dividing 29.706 acres into 48 single-family detached lots.

[7.](#) 2022-PLT-084 | 7610 West County Line Road | Decatur Township, CD #20

DR Horton – Indiana, LLC, by Keith R. Gilson

Approval of a Subdivision Plat, to be known as Parks at Decatur, Section 2A, dividing 12.786 acres into 45 lots.

[8.](#) 2022-PLT-085 | 7610 West County Line Road | Decatur Township, CD #20

DR Horton – Indiana, LLC, by Keith R. Gilson

Approval of a Subdivision Plat, to be known as Parks at Decatur, Section 2B, dividing 35.652 acres into 87 lots.

[9.](#) 2022-PLT-086 | 1220 Waterway Boulevard | Center Township, CD #11

16 Tech Community Corporation, by Michael J. Smith

Approval of a Subdivision Plat, to be known as 16 Tech – Line “E”, creating one 1.506-acre lot.

[10.](#) 2022-PLT-088 | 5212 Keystone Court | Washington Township, CD #9

CNC Keystone Partners LLC, by Mark Leach

Approval of a Subdivision Plat, to be known as Replat of Lot 2 in Keystone Court Minor Subdivision, a re-plat of a part of the east half of out-lot 8 in Mallott Park, dividing 0.817-acre into two lots.

[11.](#) 2022-PLT-089 | 1627 Oliver Avenue | Center Township, CD #16

Roger Steward, by Brady Kuhn

Approval of a Subdivision Plat, to be known as Stewart Subdivision, dividing 0.56-acre into two lots.

[12.](#) 2022-VAC-008 | 918 North Capitol Avenue | Center Township, CD #11

Civil and Environmental Consultants, Inc., by Anthony B. Syers

Vacation of the first east-west alley south of 10th Street, being 15 feet wide, beginning at the west right-of-way line of Capitol Avenue, west 194.79 feet, to the east right-of-way line of Roanoke Street.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

[13.](#) 2022-VAC-005 | 1105 Prospect Street and 1121 Shelby Street | Center Township, CD #21

FS Theatre, LLC., by David Kingen and Emily Duncan

Vacation of the first east-west alley north of Morris Street, being 15 feet in width, beginning at the east right-of-way line of Shelby Street, east 159.53 feet to the southeast corner of Lot 4 of Block 2, Martindale's South Addition, with a waiver of the Assessment of Benefits.

Vacation of the first east-west alley north of Morris Street, being 12.88 feet in width, beginning at the southeast corner of Lot 4 of Block 2, Martindale's South Addition, east 39.13 feet to the southwest corner of Lot 6 of Block 2, Martindale's South Addition, with a waiver of the Assessment of Benefits.

PETITIONS FOR PUBLIC HEARING (New Petitions):

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

December 14, 2022

Case Number: 2022-PLT-074 (Amended)
 Property Address: 5959 and 6005 Sunnyside Road (Approximate Addresses)
 Location: Lawrence Township, City of Lawrence, Council District #5
 Petitioner: Sandlian Investments LLC, by Janie Sandlian and Donna Smithers
 Zoning: C-3 and C-4
 Request: Approval of a Subdivision Plat to be known as Replat of Lot #2 & #3 U-STOR Sunnyside, dividing 11.438 acres into three lots.
 Waiver Requested: None
 Current Land Use: Undeveloped
 Staff Reviewer: Jeffrey York, Senior Planner

PETITION HISTORY

This petition was continued from the November 9, 2022, Plat Committee hearing, to the December 14, 2022, in order to provide for an amendment to this request. On November 3, 2022, the petition was amended to add land and one additional lot.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated November 3, 2022, 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 the City of Lawrence, Sanitation Section.
3. Subject to the Standards and Specifications of the City of Lawrence, Drainage Section.
4. Subject to the Standards and Specifications of the City of Lawrence, 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.



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Division of Planning
Current Planning**

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-3 and C-4 and is undeveloped. The proposed plat would subdivide the property into three lots—Lot 2A, Lot 2B and Lot 3. The proposed plat meets the standards of the C-3 and C-4 zoning classifications.

STREETS

Each of the three lots would front Sunnyside Road. No new streets are proposed as part of this petition.

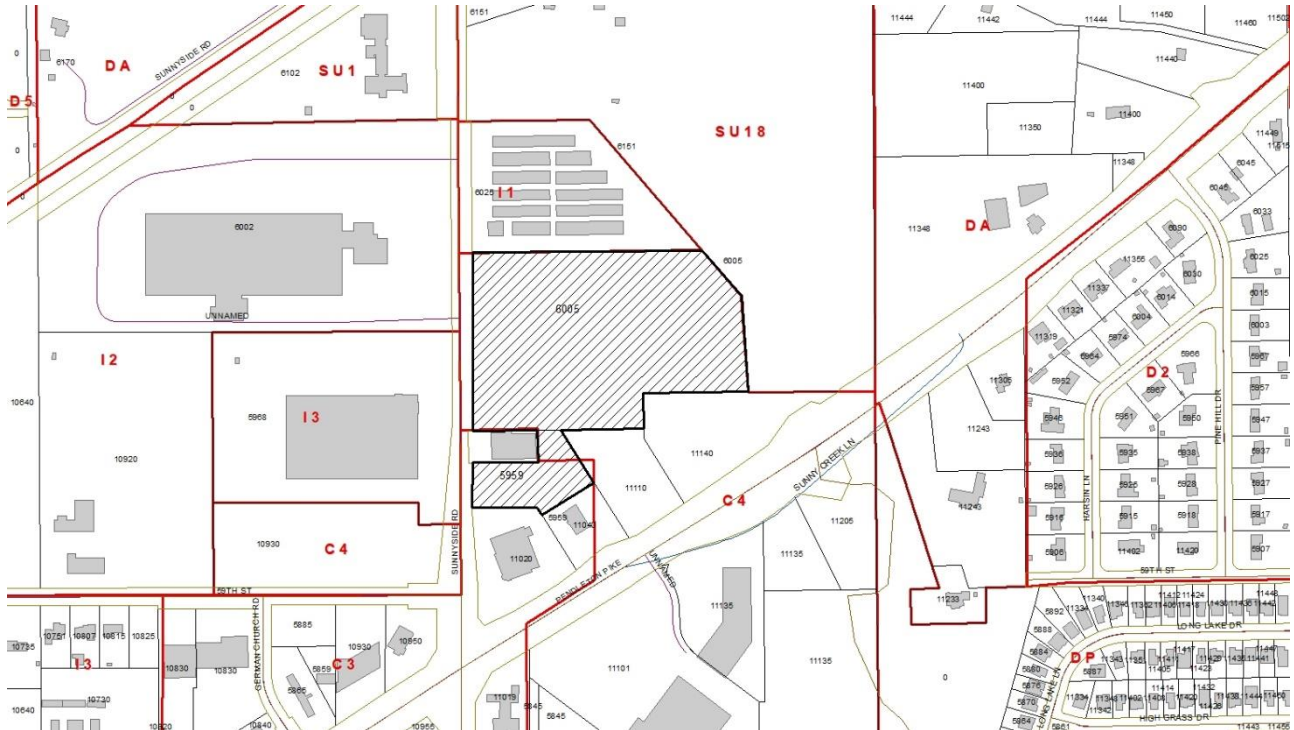
SIDEWALKS

Sidewalks are existing along the west side of Sunnyside Road, but not along the east side, which is the location of the subject site. Sidewalks will be required to be installed, prior to developing the site.

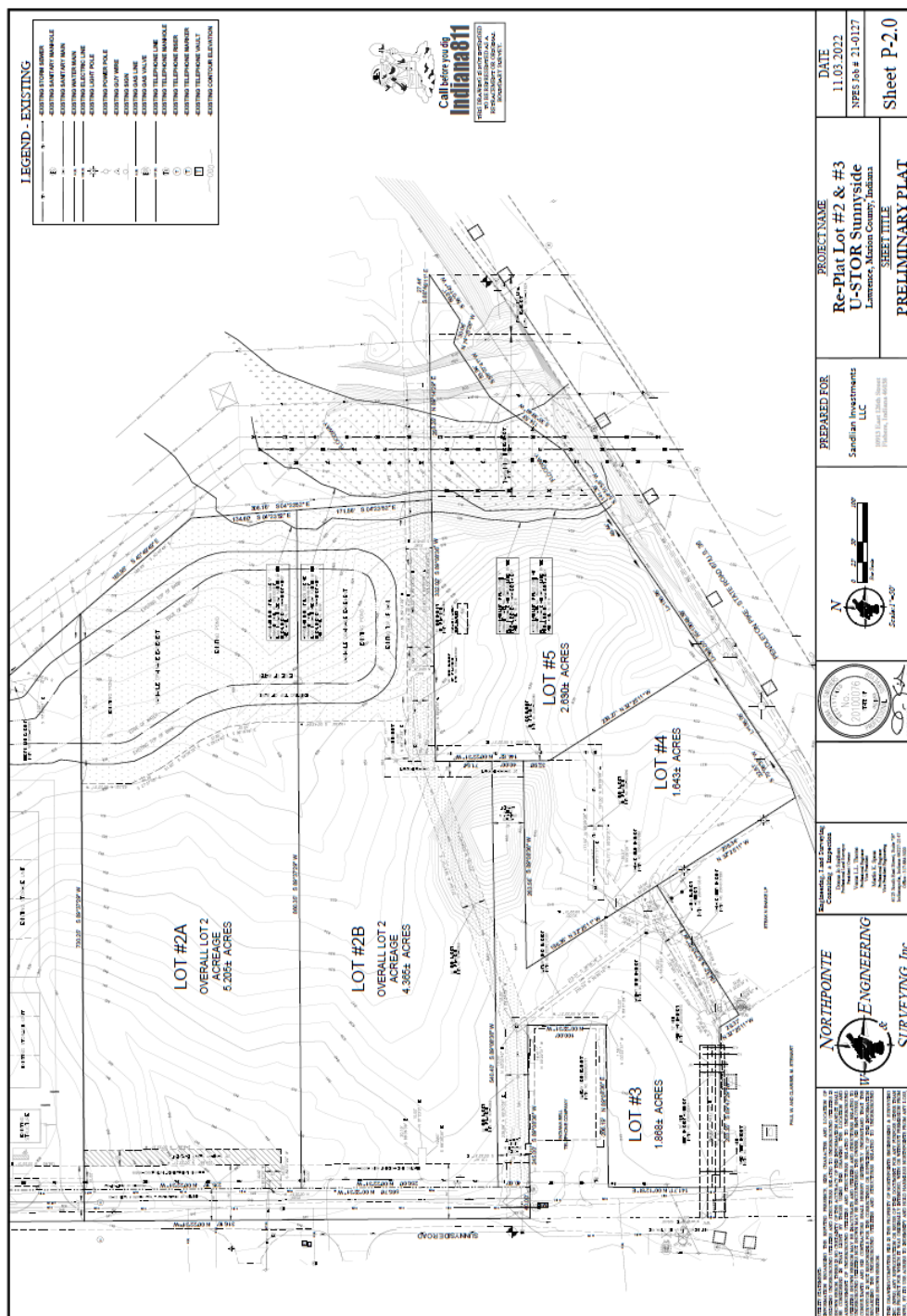
GENERAL INFORMATION

Existing Zoning	C-3 and C-4	
Existing Land Use	Undeveloped	
Comprehensive Plan	Regional Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	I-1	Self-storage facility
South:	C-3	Commercial
East:	C-4	Undeveloped
West:	I-3	Light industrial
Thoroughfare Plan		
Sunnyside Road	Primary	80-foot existing and 104-foot proposed
Petition Submittal Date	September 30, 2022	

EXHIBITS



[illegible]



Photos



Subject Site, Sunnyside Road frontage



Subject site, Sunnyside Road frontage



Subject site, Sunnyside Road frontage



Subject site, Sunnyside Road frontage

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-079
Property Address: 10335 East 52nd Street (Approximate Address)
Location: City of Lawrence, Lawrence Township, Council District #5
Petitioner: Arbor Homes, by Kenny Moorehead
Zoning: D-4 (Cluster)
Request: Approval of a Subdivision Plat to be known as Silver Stream Subdivision, Section 3, dividing 18.9 acres into 79 lots.
Waiver Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Linda Ahlbrand, Principal Planner II

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 October 24, 2022, 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 the City of Lawrence, Sanitation Section.
3. Subject to the Standards and Specifications of the City of Lawrence, Drainage Section.
4. Subject to the Standards and Specifications of the City of Lawrence, 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 18.9-acre site, zoned D-4, is undeveloped. It is part of a larger 157.87-acre tract that was rezoned to the D-4 classification in 2004 (2004-ZON-020) and 2005 (2005-ZON-061) to provide for the development of 458 single-family dwellings. This proposed plat would be for Section Three and provide for 79 lots. The site was granted cluster plan approval in 2020. Subsequently, a Modification of Commitments petition was filed to amend a commitment that required the size of the lots to adhere to a conceptual site plan from the original 2004 rezoning. The revised site plan shows the lot sizes mixed throughout the site. The Commission approved the modification on March 17, 2021.

The proposed plat meets the standards of the subdivision regulations, the D-4 zoning classification, the approved zoning commitments as modified by 2021-MOD-003 and the approved cluster plan 2020-ADM-147.

STREETS

The plat would provide for the extension of two streets from Section One and one street from Section Two. One new street would be provided. Three stub streets would stub to future sections of the Subdivision. All of the streets would be dedicated to the City of Lawrence.

SIDEWALKS

Sidewalks are required along all proposed interior streets and 46th Street.

GENERAL INFORMATION

Existing Zoning	D-4	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-4	Undeveloped
South:	D-P / D-4	Undeveloped / Single-family residential
East:	D-4	Single-family residential (under construction)
West:	D-A / D-5	Single-family residential
Thoroughfare Plan		
46 th Street	Primary Collector	30-foot existing and 80-foot proposed

Petition Submittal Date October 21, 2022

SUBDIVISION PLAT REGULATIONS

741-203 Required
Documents for
Approval

EVALUATION

	<p><i>741.201.A-C – Primary Plat Requirements:</i></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><i>741-203.D – Traffic Control Plan</i></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><i>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</i></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"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • 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; • 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; • 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 • 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. 	Satisfied
741-300 Design and Installation Standards	<p>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.</p>	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
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>741-303.A – General:</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>741-303.B – Through Connectivity (Metro Context Area):</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>741-303.D – Cul-de-sacs (Metro Context Area):</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

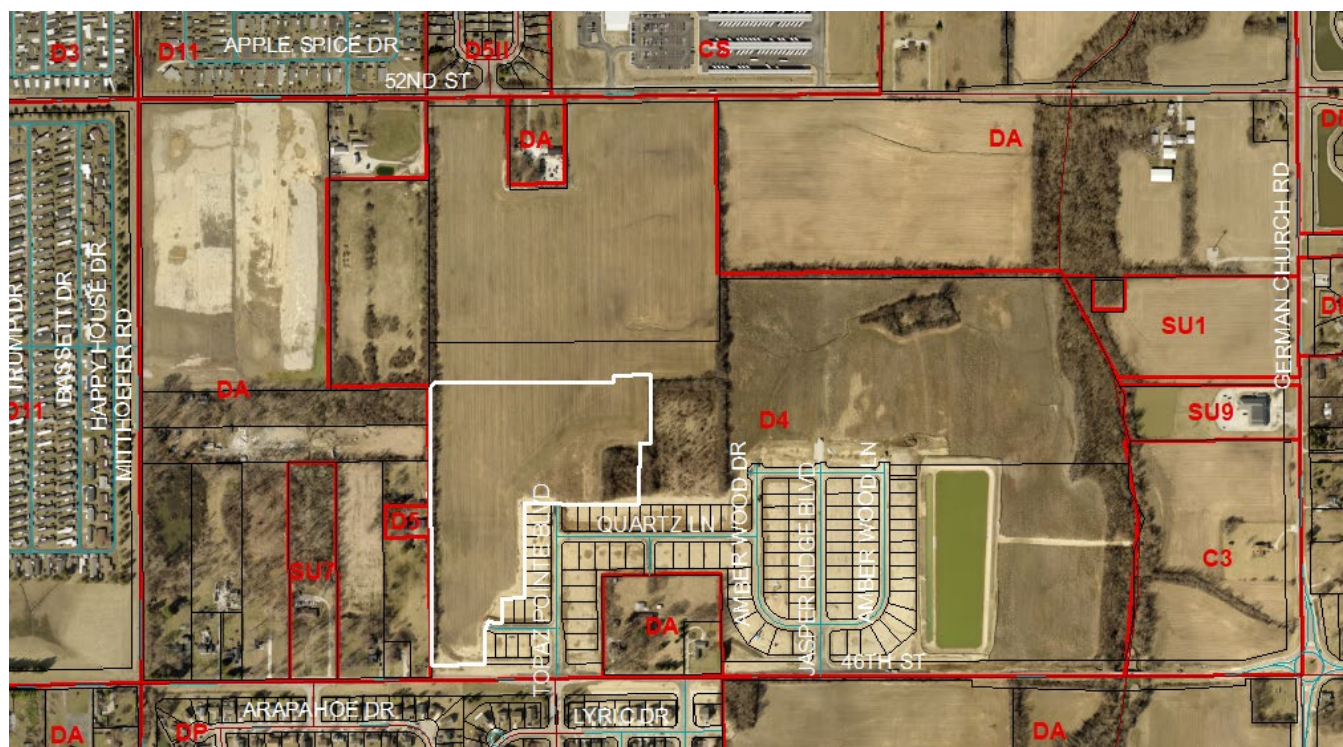
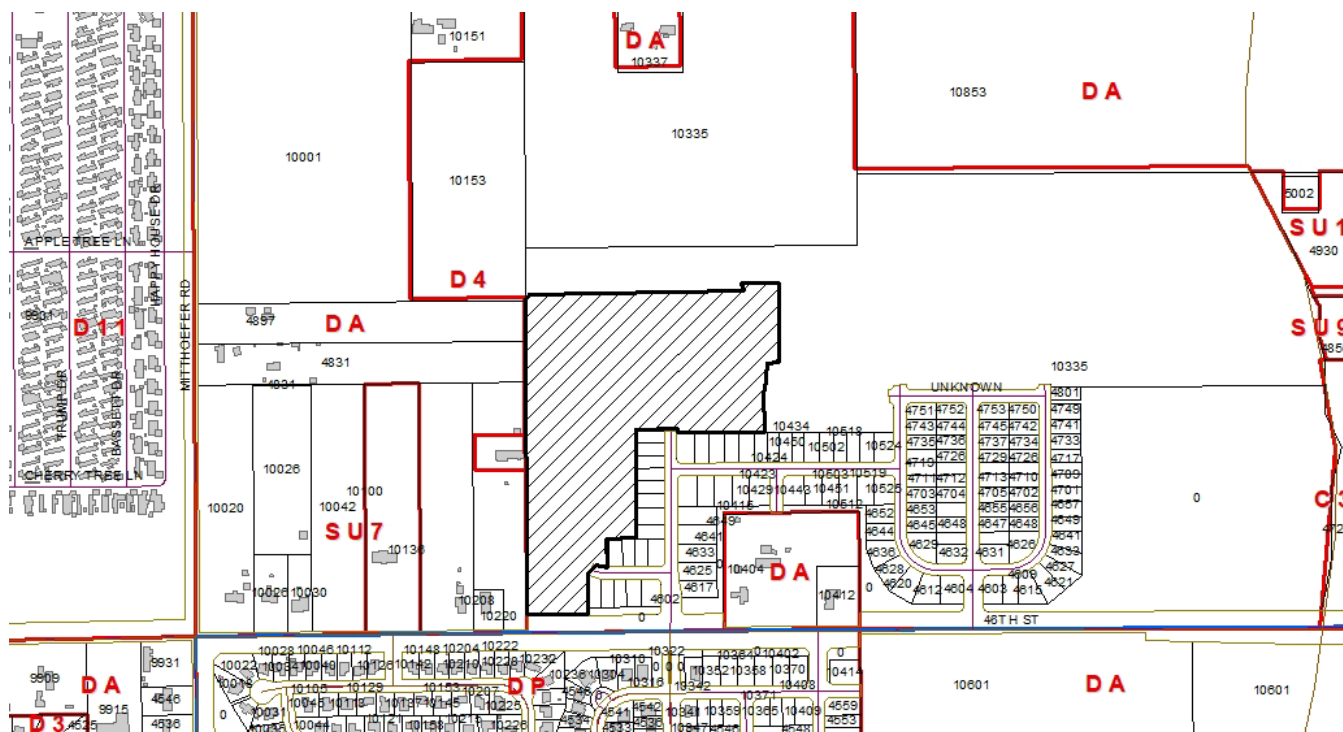
Additional
Development Items

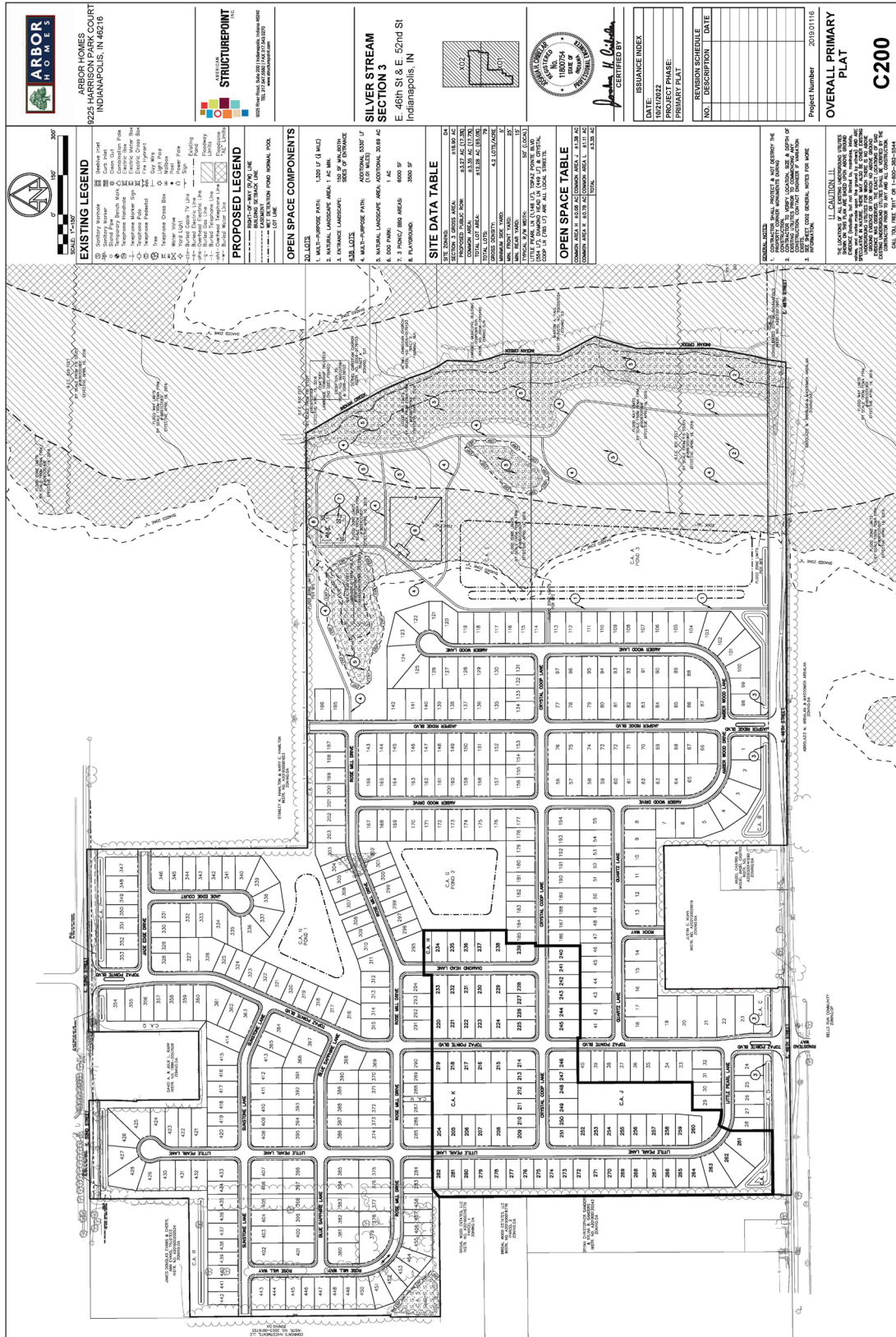
EVALUATION

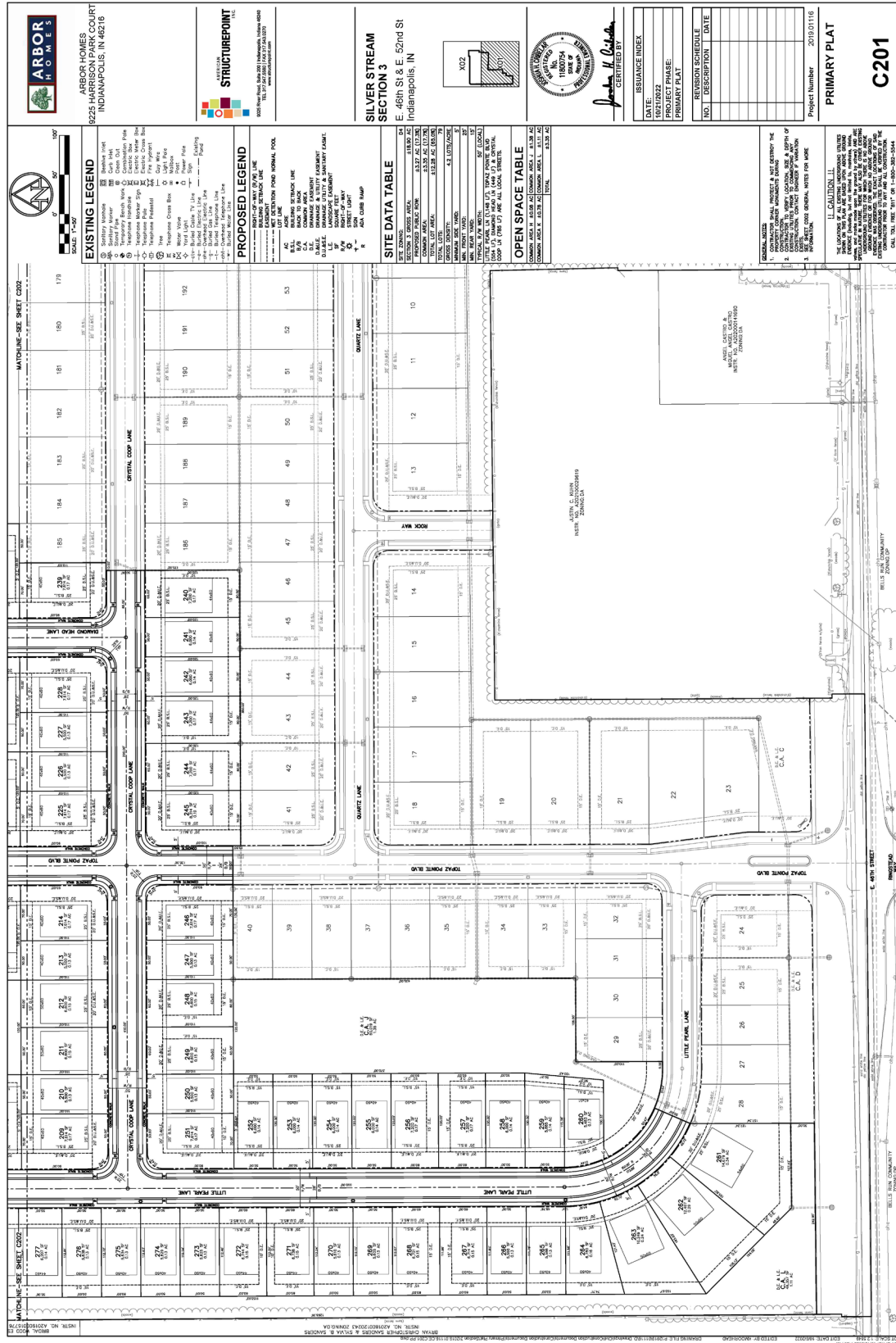
<p>741.304.A-C – Traffic Control Devices:</p> <ul style="list-style-type: none"> • Street name signs, traffic control signs, bike route signs. • Traffic control devices for streets exceeding 900 feet in length. • Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units. 	<p>Satisfied</p>
<p>741.305 – Numbering and naming:</p> <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. 	<p>Street numbering not submitted</p>
<p>741.306 – Sidewalks:</p> <ul style="list-style-type: none"> • Sidewalks shall be provided along all internal and external streets. 	<p>Satisfied</p>
<p>741.307-309 – Easements, Utilities, Stream Protection Corridors:</p> <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. 	<p>Satisfied</p>
<p>741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):</p> <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. 	<p>Satisfied</p>
<p>741-312 – Monuments</p> <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. 	<p>Satisfied</p>

	<p>741.313 – Flood Control:</p> <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. 	<p>Satisfied</p>
	<p>741.316 – Street Lighting:</p> <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). 	<p>Satisfied</p>

EXHIBITS











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

PLAT COMMITTEE

December 14, 2022

Case Number:	2022-PLT-080
Property Address:	1026 Tecumseh Street (<i>Approximate Address</i>)
Location:	Center Township, Council District #17
Petitioner:	Jordan Gleason, by Angela R. Smith
Zoning:	D-8
Request:	Approval of a Subdivision Plat, to be known as Aviators Tecumseh Addition, dividing 0.16-acre into two 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.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 31, 2022, 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.
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9. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the final plat.



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Division of Planning
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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-8 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 as shown on historic Sanborn Maps. 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 Tecumseh Street to the east, with alley access on the rear. Lot One would be a corner lot with frontage on 11th Street to the north. No new streets are proposed.

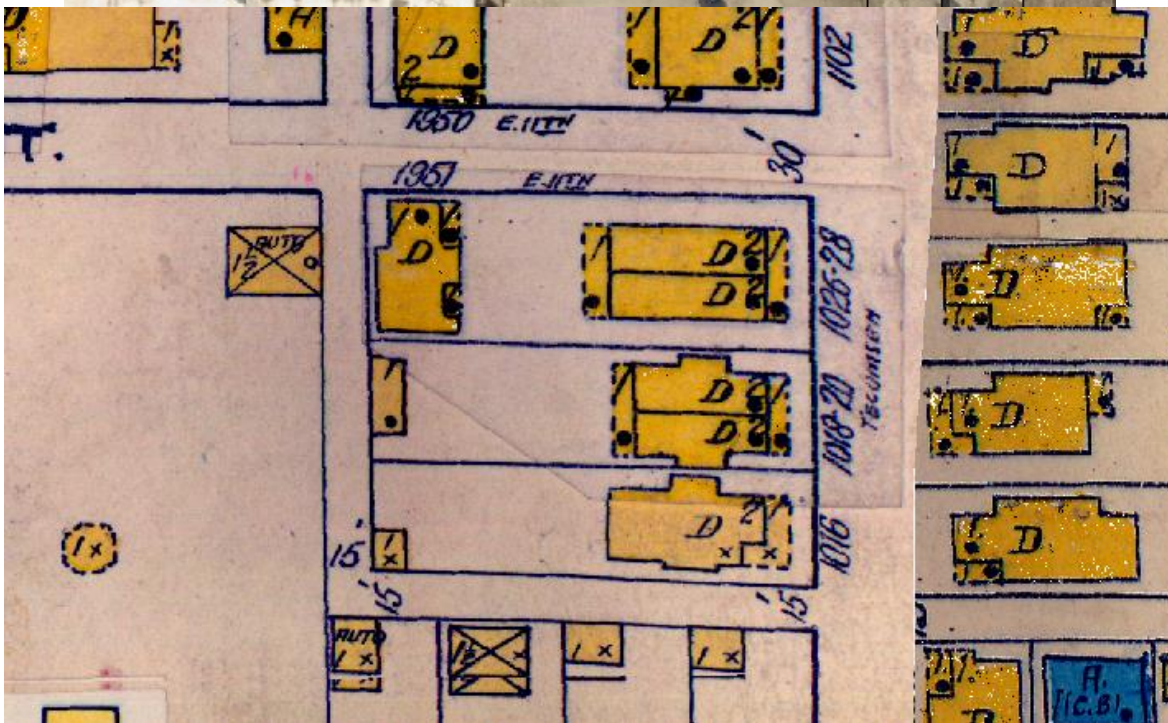
PROCEDURE

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-8 Dwelling District, including, but not limited to, setbacks, minimum lot width and frontage, and minimum open space.

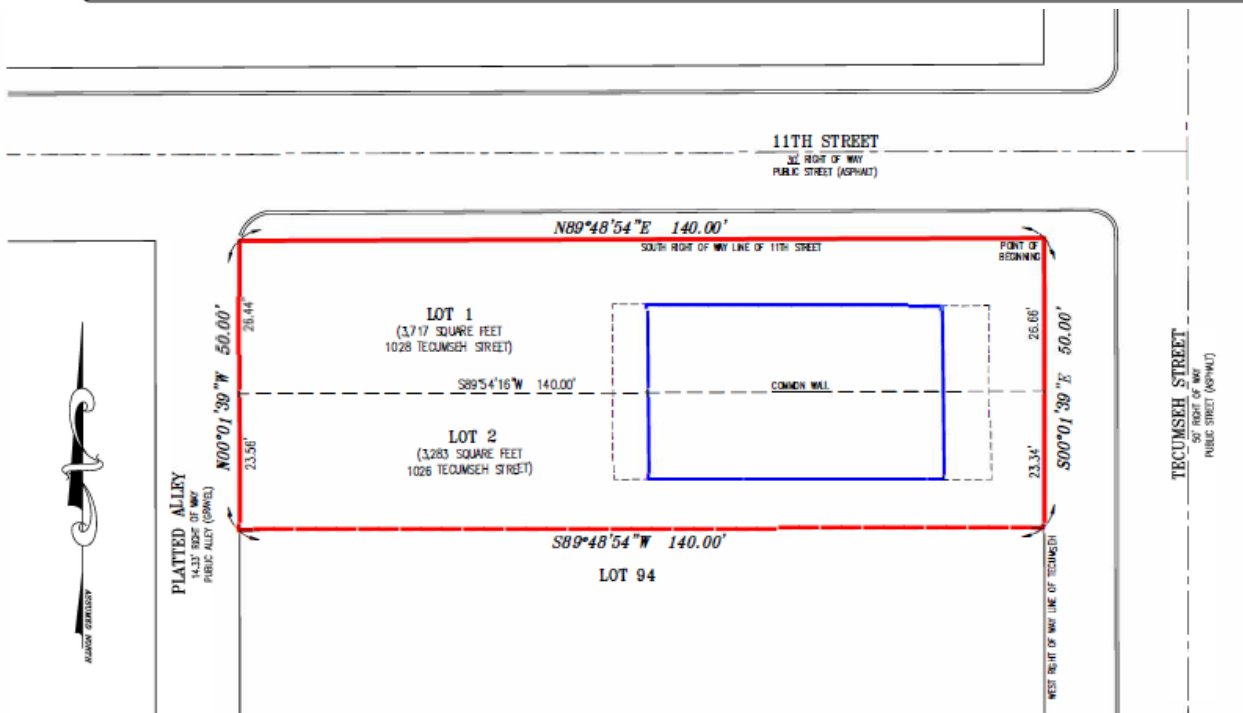
GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Two-family dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-8	Single-family residential
South:	D-8	Single-family residential
East:	D-8	Single-family residential
West:	C-3	Commercial
Thoroughfare Plan		
Tecumseh Street	Local Street	50-feet existing and proposed
11 th Street	Local Street	30-feet existing and 48-feet proposed
Petition Submittal Date	October 31, 2022	

EXHIBITS



1915 Sanborn Map

[illegible]

PHOTOS



Subject site viewed from Tecumseh Street



Subject site viewed from the intersection of Tecumseh Street and 11th Street



Subject site rear yard, viewed from 11th Street



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-081
 Property Address: 6006 East 86th Street (Approximate Address)
 Location: Lawrence Township, Council District #3
 Petitioner: Christopher Enright, NCARB, by Angela R. Smith
 Zoning: C-4
 Request: Approval of a Subdivision Plat, to be known as Replat of Castle Creek Commons Lot 2, dividing 2.369 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 October 31, 2022, 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.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned C-4 and developed with a commercial building with an undeveloped area to the west. This site was platted as Lot Two via 2016-PLT-049. The proposed plat would subdivide the property into two lots to provide for a commercial development—Lots Two A and Two B. The proposed plat meets the standards of the C-4 zoning classification.

STREETS

Each lot would front on 86th Street, but is accessed via Nelson B. Klein Parkway, a private drive east of site, and an access easement to the north. No new streets are proposed as part of this petition.

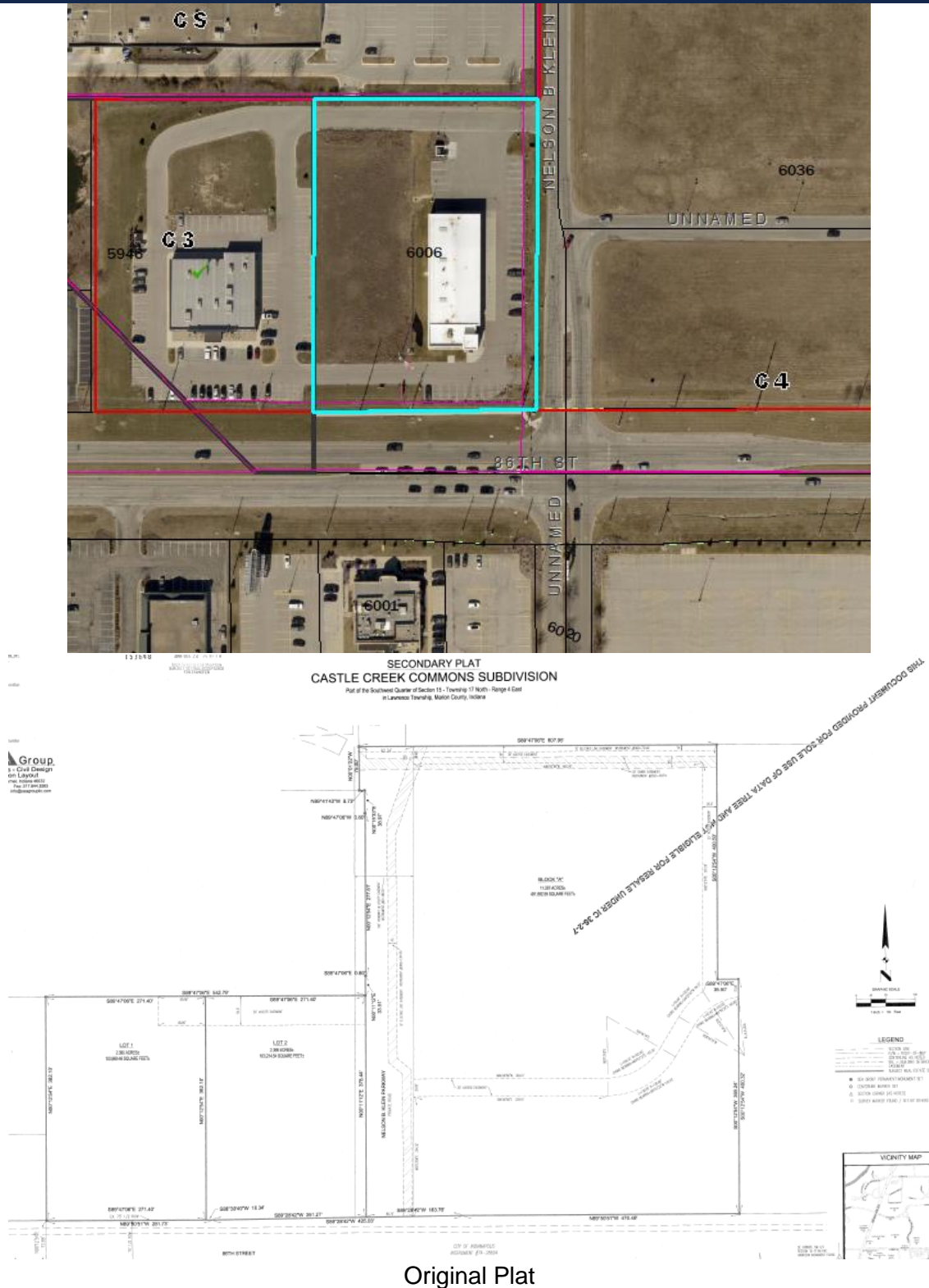
SIDEWALKS

Sidewalks are existing along East 86th Street.

GENERAL INFORMATION

Existing Zoning	C-4	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-S	Commercial
South:	C-4	Commercial
East:	C-4	Undeveloped
West:	C-3	Commercial
Thoroughfare Plan		
East 86 th Street	Primary Arterial	160-feet existing and proposed
Petition Submittal Date	October 31, 2022	

EXHIBITS



Original Plat



PHOTOS



Subject site viewed from 86th Street



Subject site, facing southwest



Subject site, proposed Lot Two A



Subject Site, proposed Lot Two B



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-082
Property Address: 6930 Mills Road (*Approximate Address*)
Location: Decatur Township, Council District #20
Petitioner: DR Horton – Indiana, LLC by Gordan D. Kritz
Zoning: D-3 (Cluster)
Request: Approval of a Subdivision Plat to be known as Cardinal Grove, Section 2B, subdividing 12.249 acres into 51 single-family detached lots.
Waiver Requested: None
Current Land Use: Single- Family Residential
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 November 3, 2022, 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

The subject site is zoned D-3 and is undeveloped. It was rezoned to the D-3 classification in 2021 (2021-ZON-123) to provide for the proposed single-family residential development. The cluster subdivision was approved per 2021-ADM-188. The proposed plat generally meets the standards of the zoning classification and the zoning commitments.

STREETS

Section Two B proposes four new streets. Antrim Drive will be a stub street available for a future development to the north. Bunting Drive, Henley Way, and Rawlings Lane provide connections to Section Two A to the east, and future Section Three to the west and south.

SIDEWALKS

Sidewalks are required along all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A / D-3	Single-Family Residential
South:	D-A	Undeveloped
East:	D-3 / D-5II	Single-Family Residential
West:	D-A / D-4	Single-Family Residential / Undeveloped
Thoroughfare Plan		
Millhouse Road	Primary Collector	32-foot existing and 80-feet proposed
Mills Road	Local Street	28-foot existing and 50-feet proposed
Petition Submittal Date	November 3, 2022	

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>

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

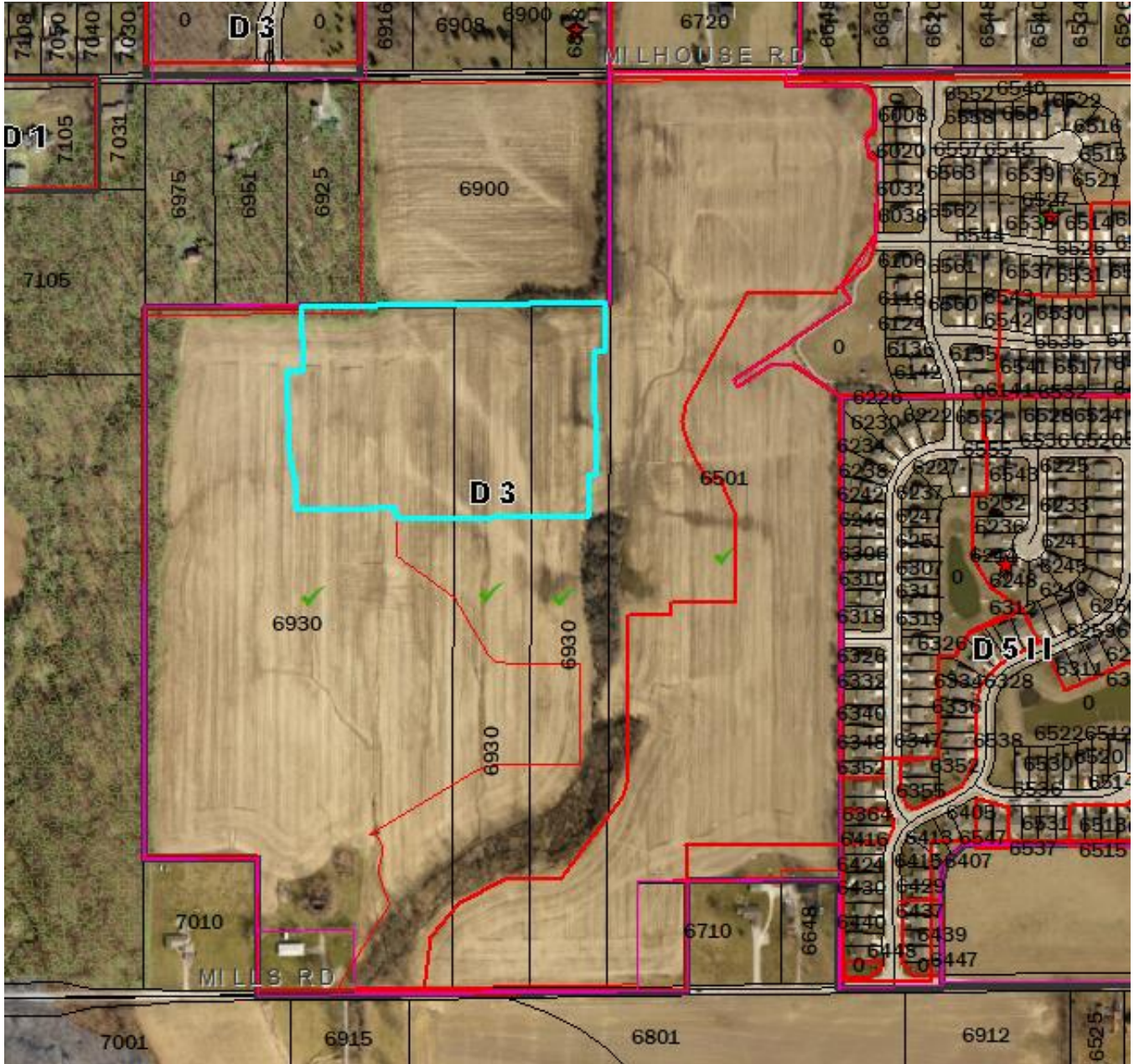
**Department of Metropolitan Development
Division of Planning
Current Planning**

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		EVALUATION
Additional Development Items		
	<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

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Division of Planning
Current Planning**

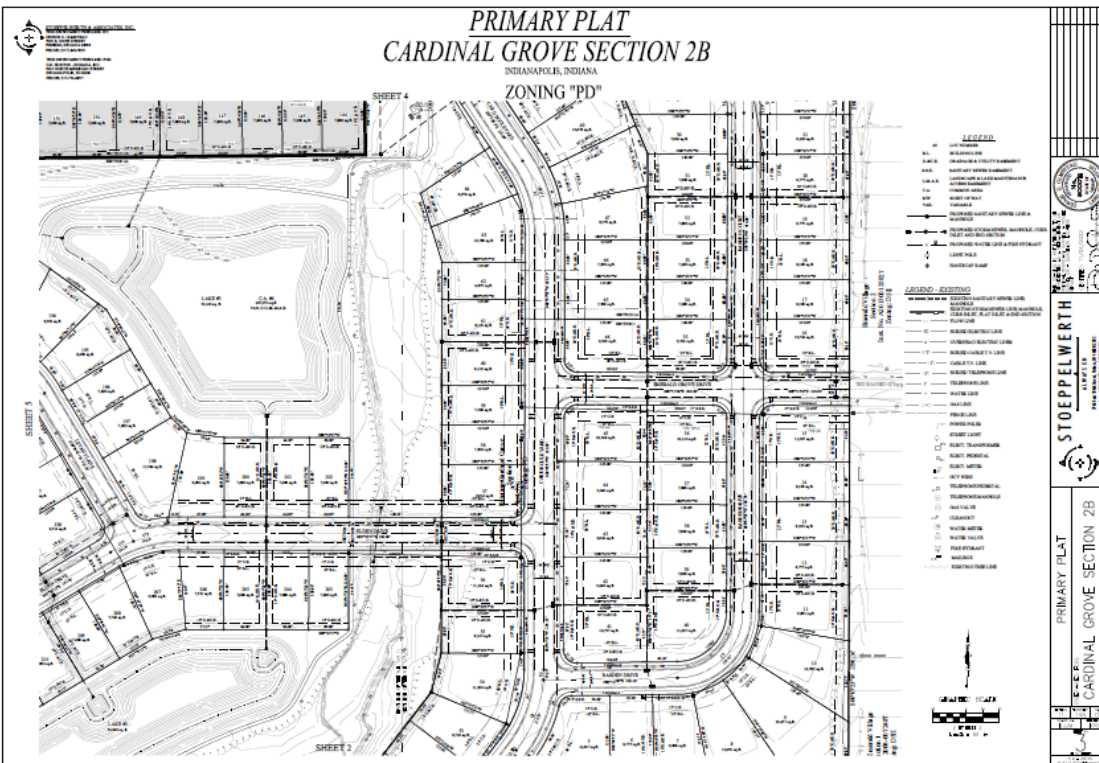
741.305 – <i>Numbering and naming:</i>	<ul style="list-style-type: none"> • <i>Street numbering per adopted addressing guidelines.</i> • <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i> 	Street numbering not submitted
741.306 – <i>Sidewalks:</i>	<ul style="list-style-type: none"> • <i>Sidewalks shall be provided along all internal and external streets.</i> 	Satisfied
741.307-309 – <i>Easements, Utilities, Stream Protection Corridors:</i>	<ul style="list-style-type: none"> • <i>Utility easements shall be located along lot lines and shall be a minimum of 10 feet.</i> • <i>All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance.</i> • <i>Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise.</i> • <i>All utilities shall be located underground.</i> • <i>All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205.</i> 	Satisfied
741.310 – <i>Common Areas, Open Space and Public Sites (Compact Context Area):</i>	<ul style="list-style-type: none"> • <i>Required for subdivisions with more than 20 dwelling units.</i> • <i>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.</i> • <i>Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping.</i> • <i>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.</i> • <i>Reservation of land for public/semi-public purpose.</i> 	Satisfied
741.312 – <i>Monuments</i>	<ul style="list-style-type: none"> • <i>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.</i> 	Satisfied
741.313 – <i>Flood Control:</i>	<ul style="list-style-type: none"> • <i>All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</i> • <i>Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</i> • <i>For Zone AE areas, the plat must show the BFE topographic line.</i> • <i>For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</i> 	Satisfied
741.316 – <i>Street Lighting:</i>	<ul style="list-style-type: none"> • <i>All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</i> 	Satisfied

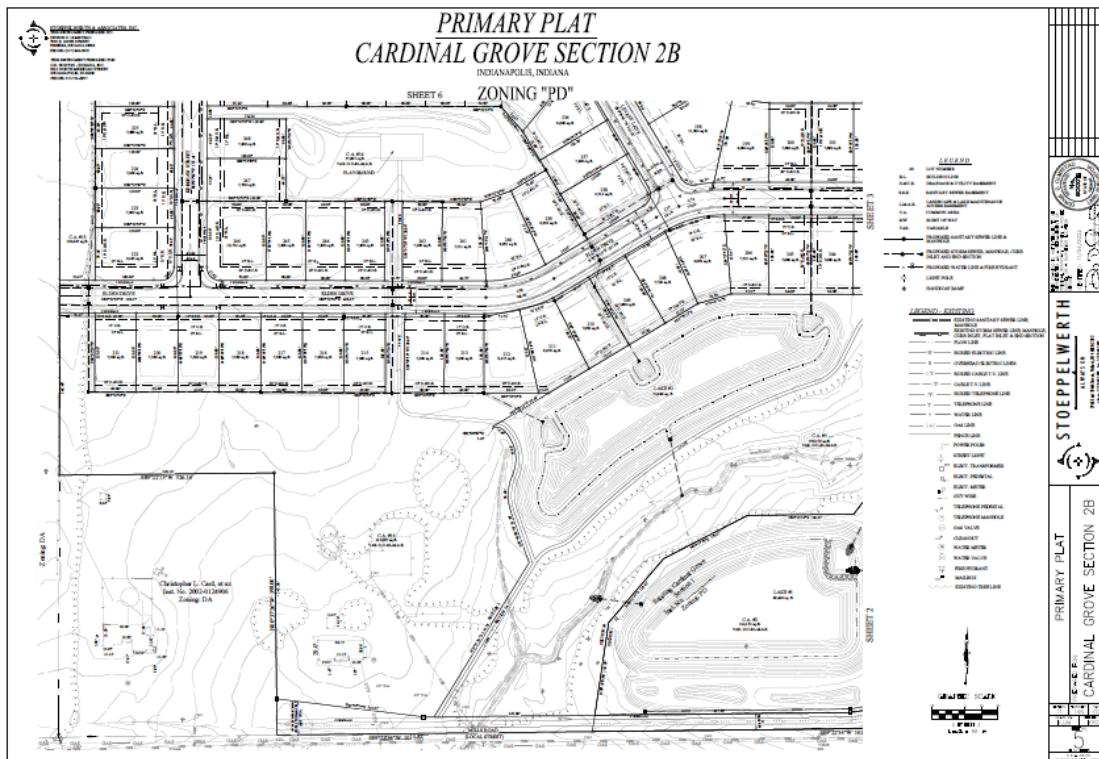
EXHIBITS

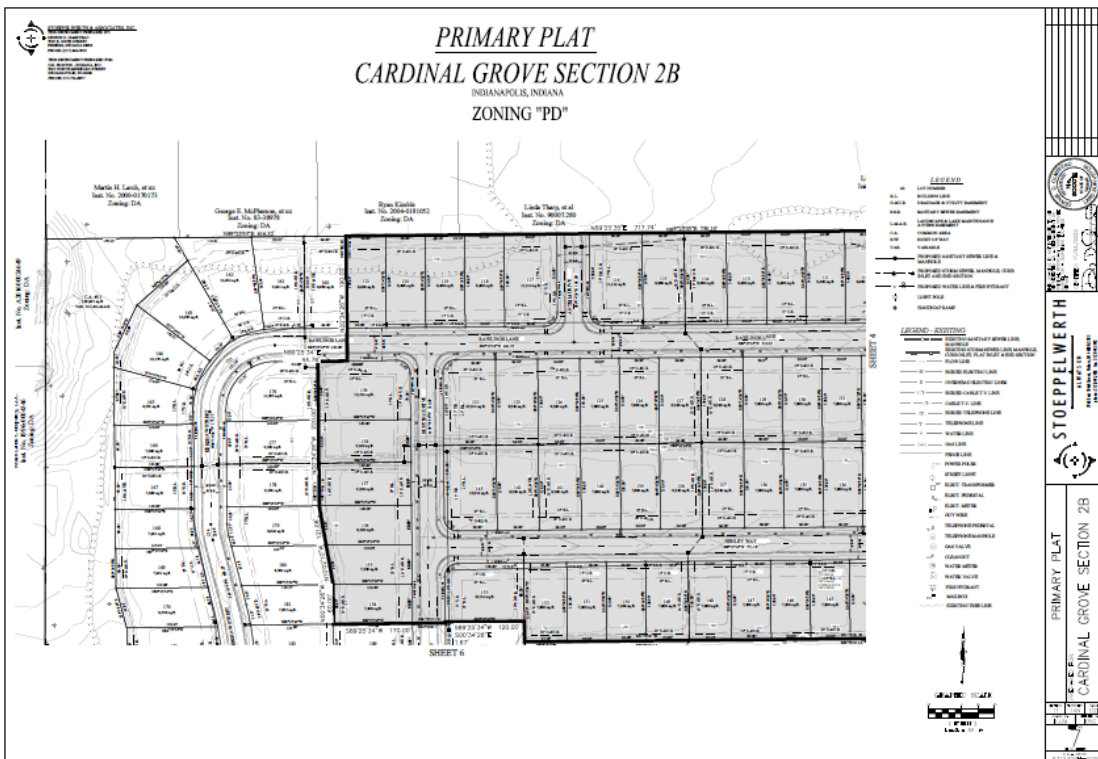
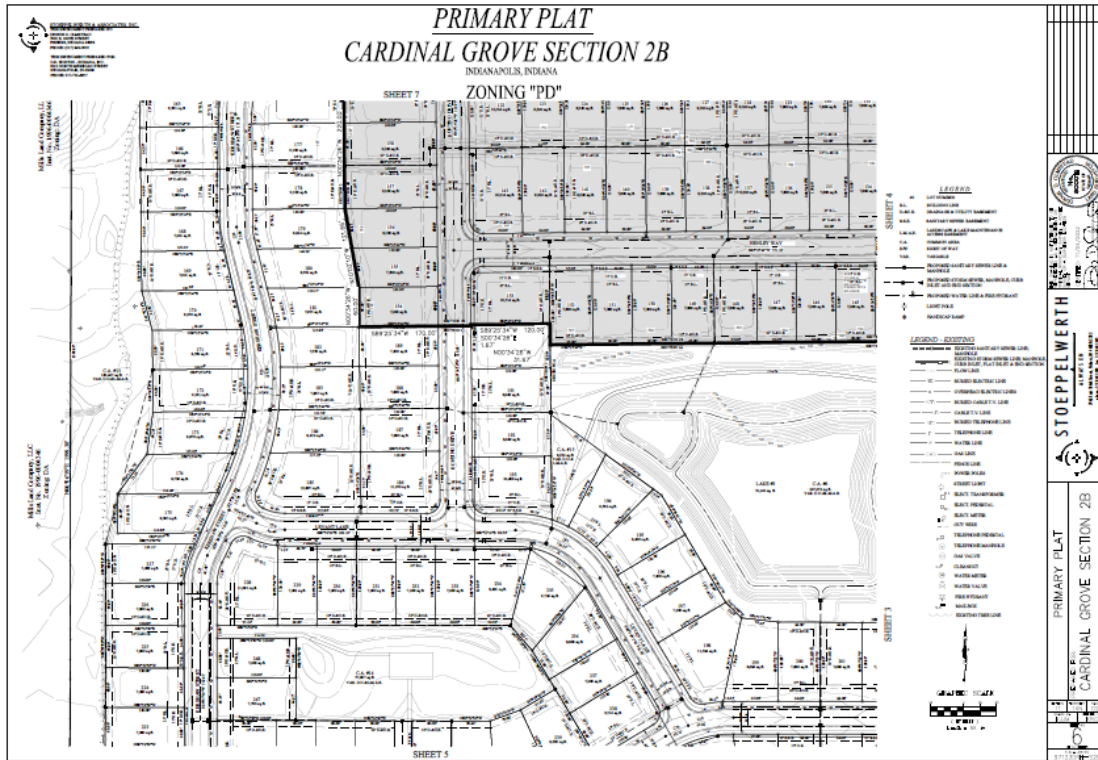




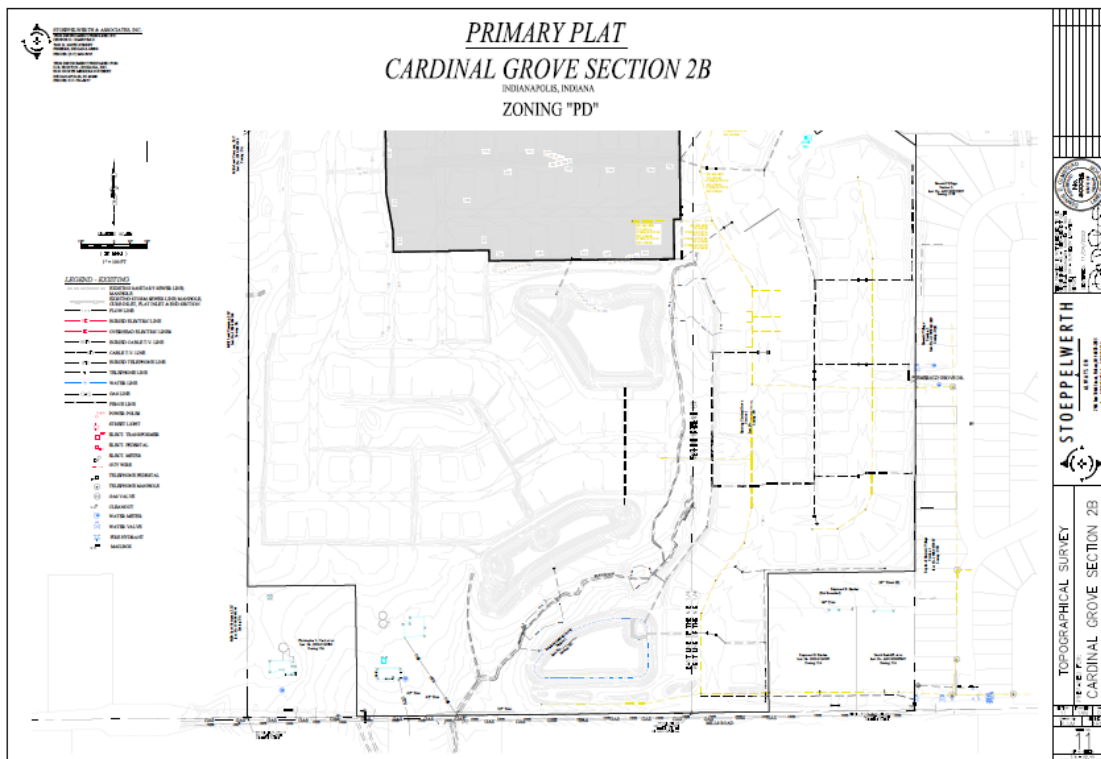


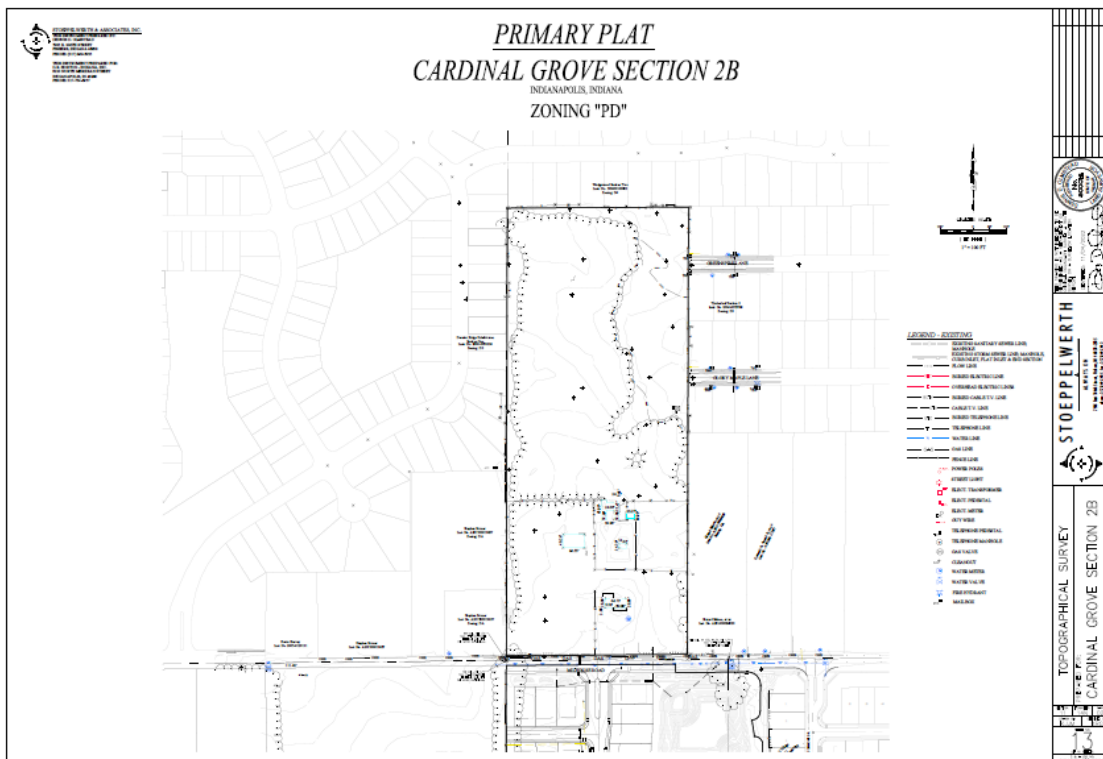
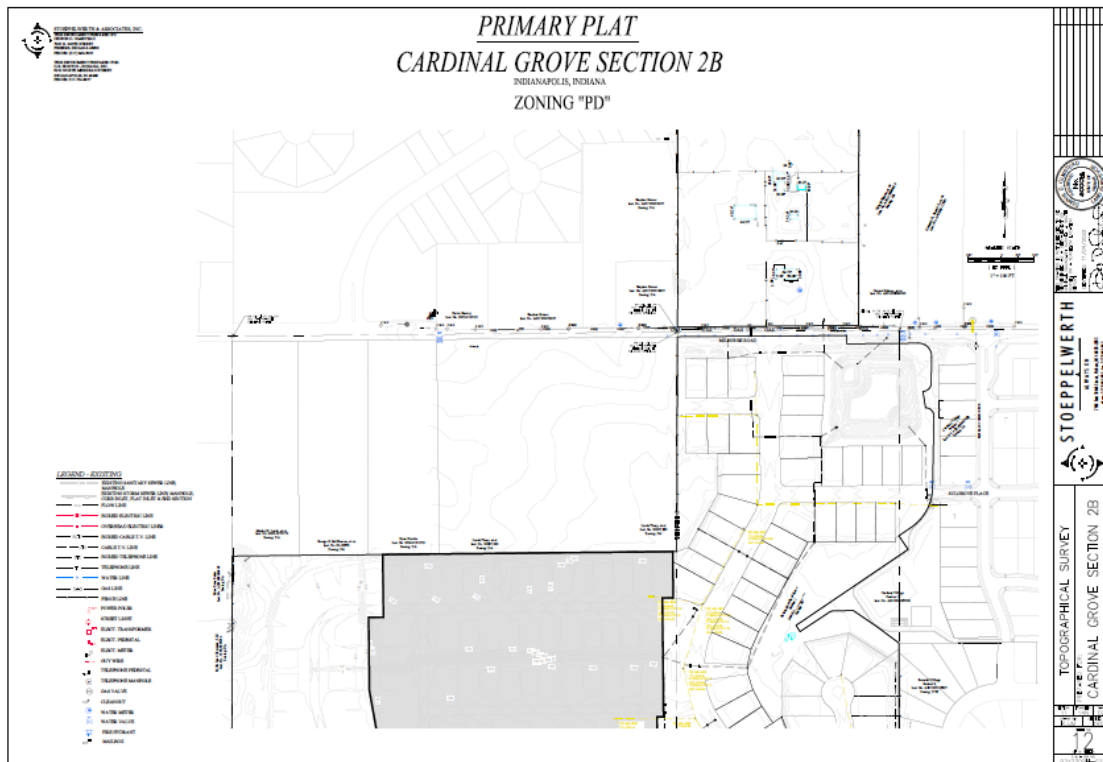


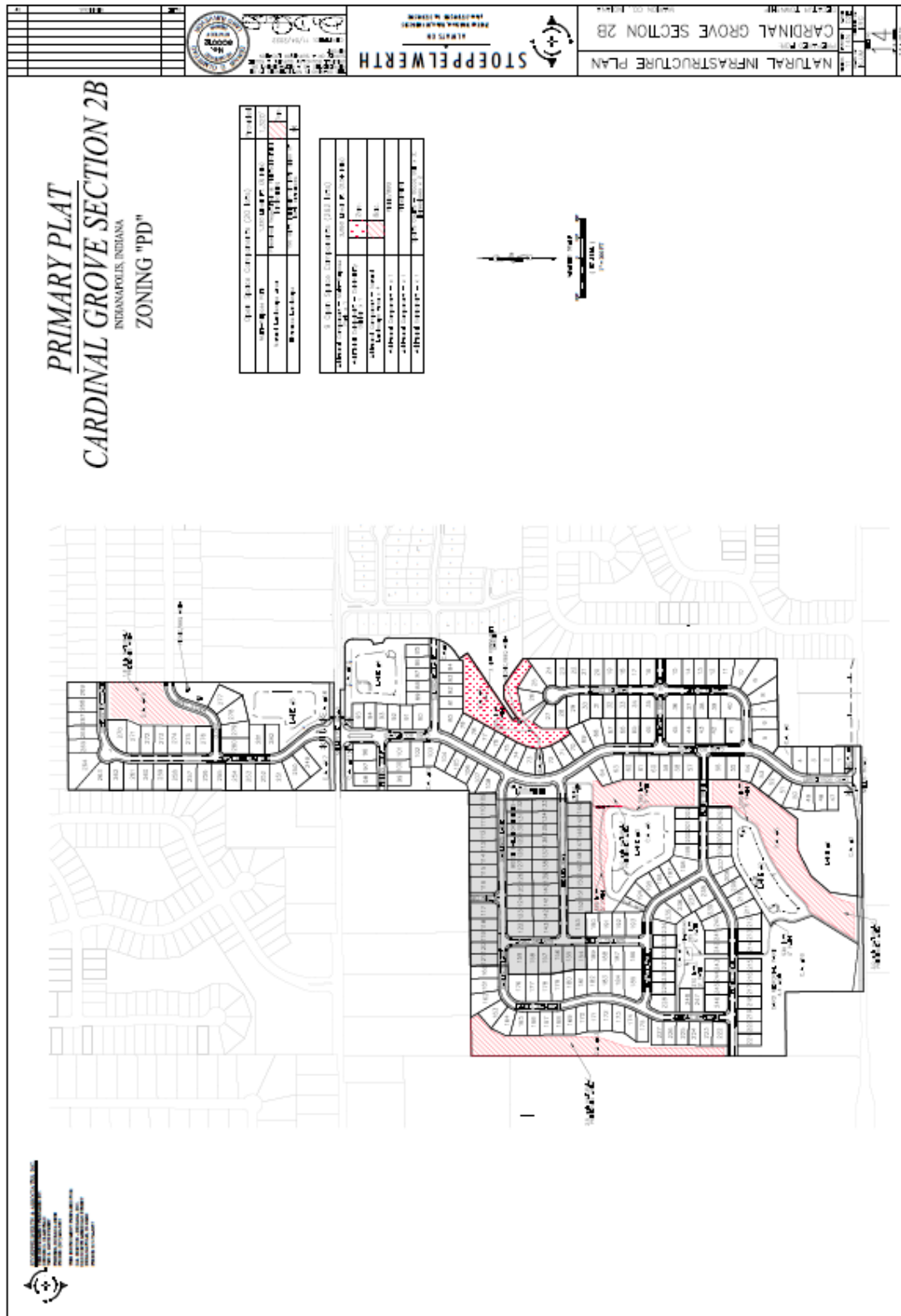








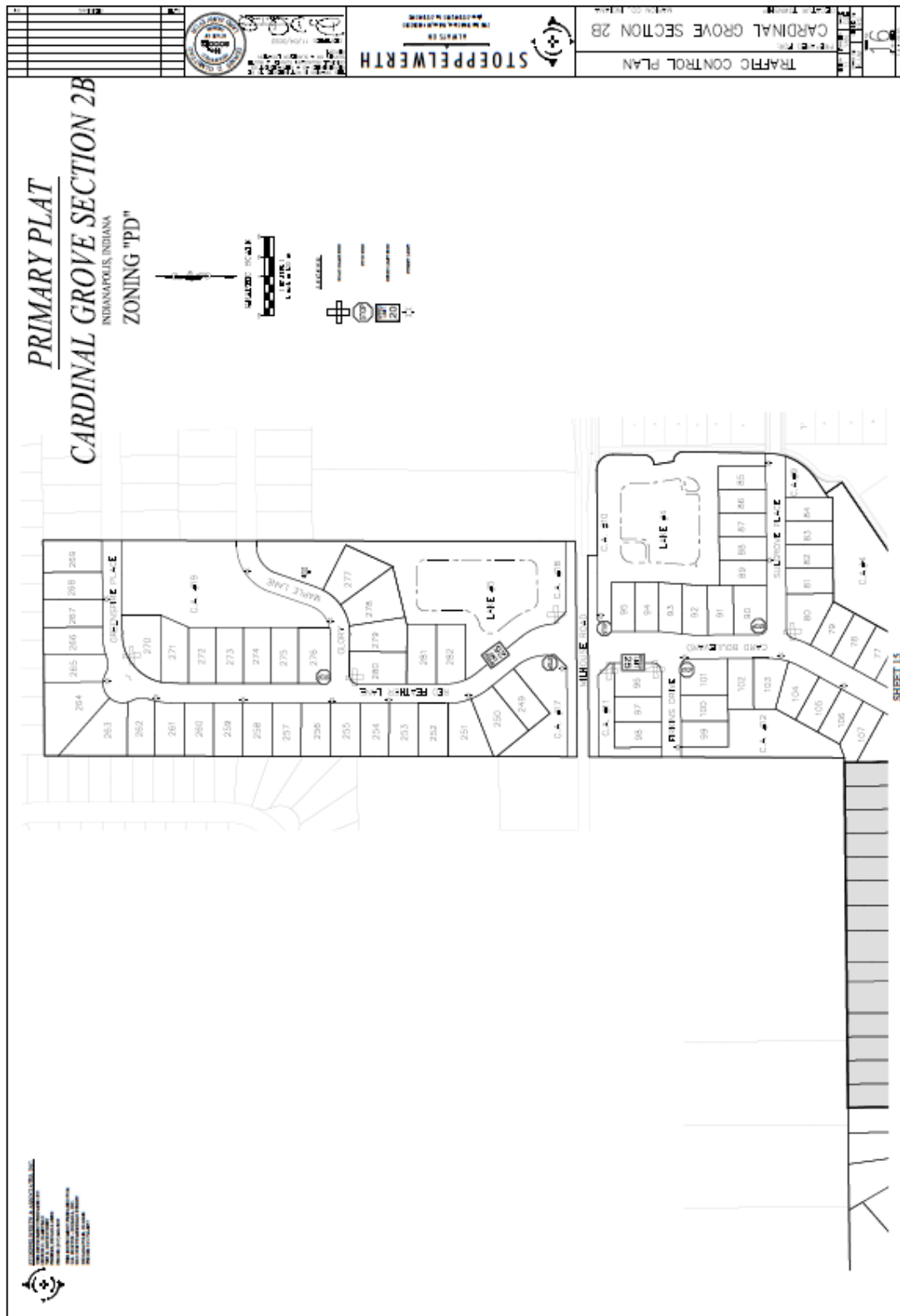




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PHOTOS



Subject site viewed from Sulgrove Place, east of site



Proposed Section Two A and B



Subject site, Milhouse Road Frontage



Proposed Section Two A and B



Section One and Two A, southeast of site



Subject site, Mills Road frontage



Subject site entrance on Mills Road



Proposed future Section Three



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-083
Property Address: 6501 Milhouse Road and 6930 Mills Road (*Approximate Address*)
Location: Decatur Township, Council District #20
Petitioner: DR Horton – Indiana, LLC by Gordan D. Kritz
Zoning: D-3 (Cluster)
Request: Approval of a Subdivision Plat to be known as Cardinal Grove, Section 2A, subdividing 29.706 acres into 48 single-family detached lots.
Waiver Requested: None
Current Land Use: Single- Family Residential
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 November 3, 2022, 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
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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

The subject site is zoned D-3 and is undeveloped. It was rezoned to the D-3 classification in 2021 (2021-ZON-123) to provide for the proposed single-family residential development. The cluster subdivision was approved per 2021-ADM-188. The proposed plat generally meets the standards of the zoning classification and the zoning commitments.

STREETS

Section Two A proposes seven new streets. Card Boulevard is the main north-south street that connects the Millhouse Road frontage through Section One to Mills Road to the south. Sulgrove Place connects to the subdivision to the east. Firkins Drive will be a stub street for future development west of site. Rawlings Lane and Henley way provide access to Section Two B, and Elden Drive crosses the common areas between Section One and future Section Three.

SIDEWALKS

Sidewalks are required along the north and south frontages on Millhouse Road, the north frontage on Mills Road, and all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	D-A / D-3	Single-Family Residential
South:	D-A	Undeveloped
East:	D-3 / D-5II	Single-Family Residential
West:	D-A / D-4	Single-Family Residential / Undeveloped
Thoroughfare Plan		
Millhouse Road	Primary Collector	32-foot existing and 80-feet proposed
Mills Road	Local Street	28-foot existing and 50-feet proposed
Petition Submittal Date	November 3, 2022	

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"> • Plat name, Legal Description, Surveyor Seal, Scale. • Boundary Lines, Existing Street Names and dimensions. • Layout of Proposed Streets – names, widths, classifications. • Layout of all easements and purpose thereof. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. • Area Map. 	Satisfied
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> • Traffic control street signs and devices. • Traffic calming devices. • Bicycle facilities. • Sidewalks and pedestrian facilities. • Transit facilities, such as bus stops pads or shelter. • Street lighting. 	Satisfied
	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • 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 • Location of Open Space Areas of the open space common area, indicating size and general improvements • Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	Satisfied
	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • 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; • 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; • 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 • 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. 	None Requested

**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

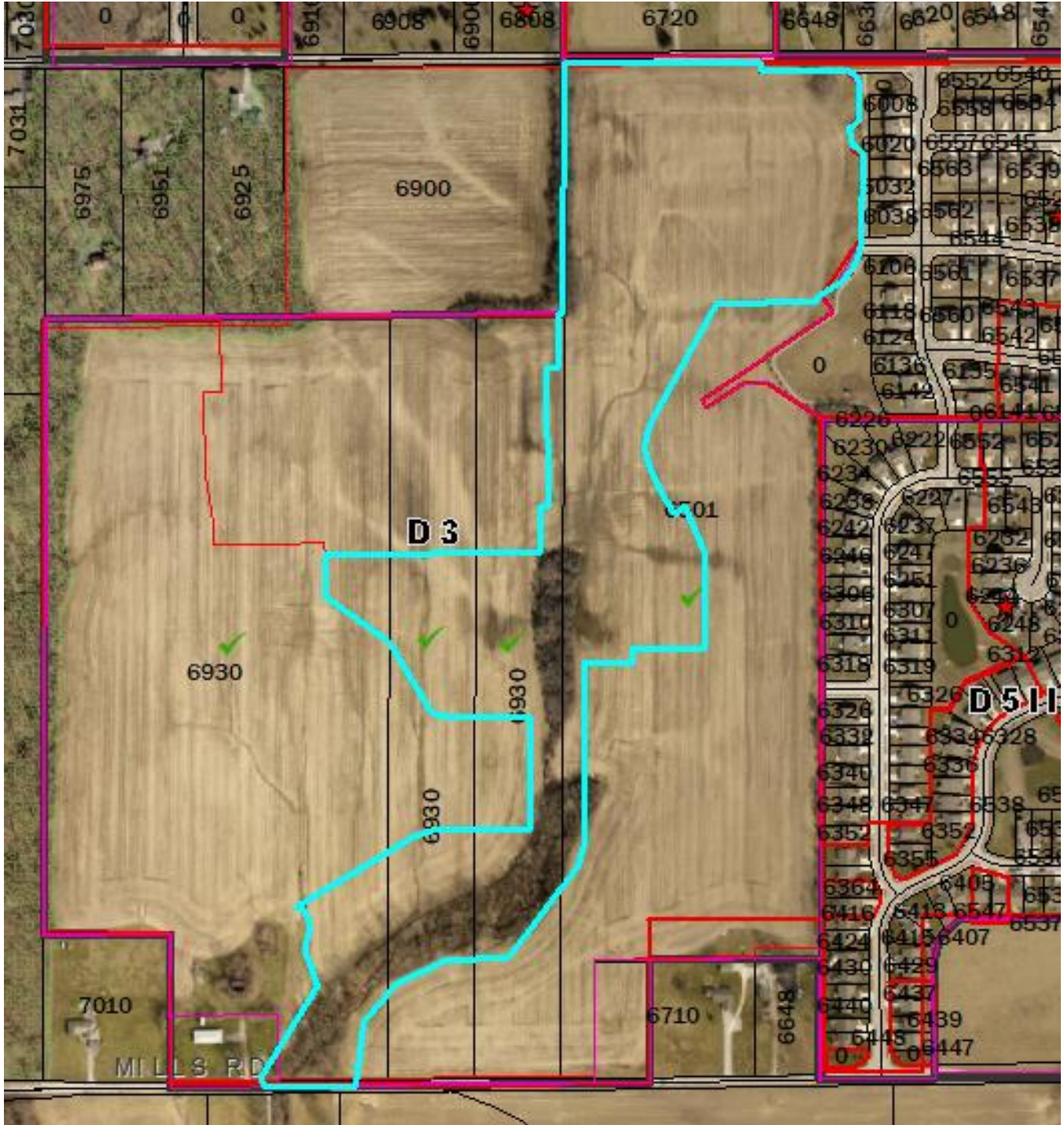
**Department of Metropolitan Development
Division of Planning
Current Planning**

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		EVALUATION
Additional Development Items		
	<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
Division of Planning
Current Planning**

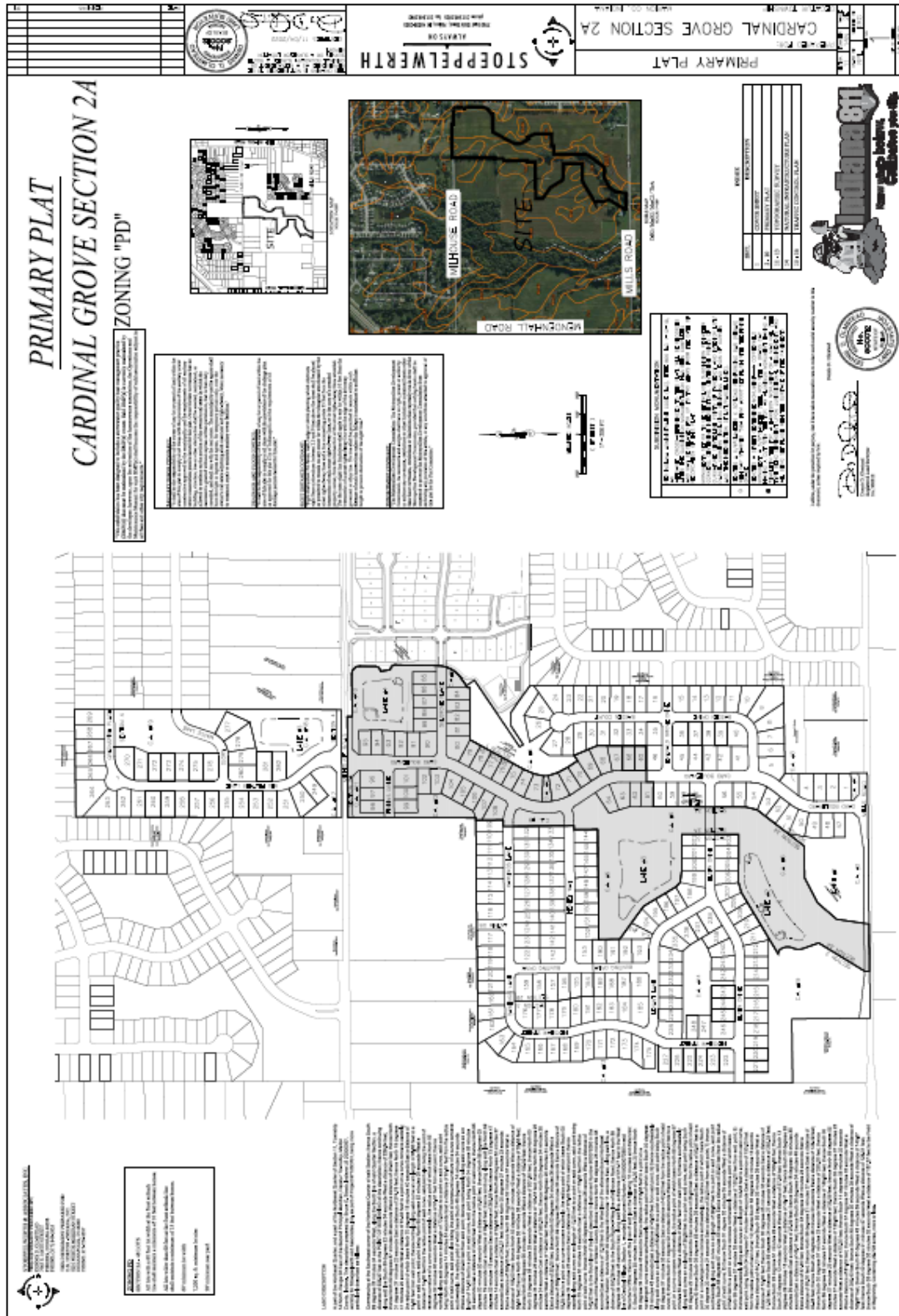
741.305 – Numbering and naming:	<ul style="list-style-type: none"> Street numbering per adopted addressing guidelines. Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street. 	Street numbering not submitted
741.306 – Sidewalks:	<ul style="list-style-type: 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). 	Satisfied

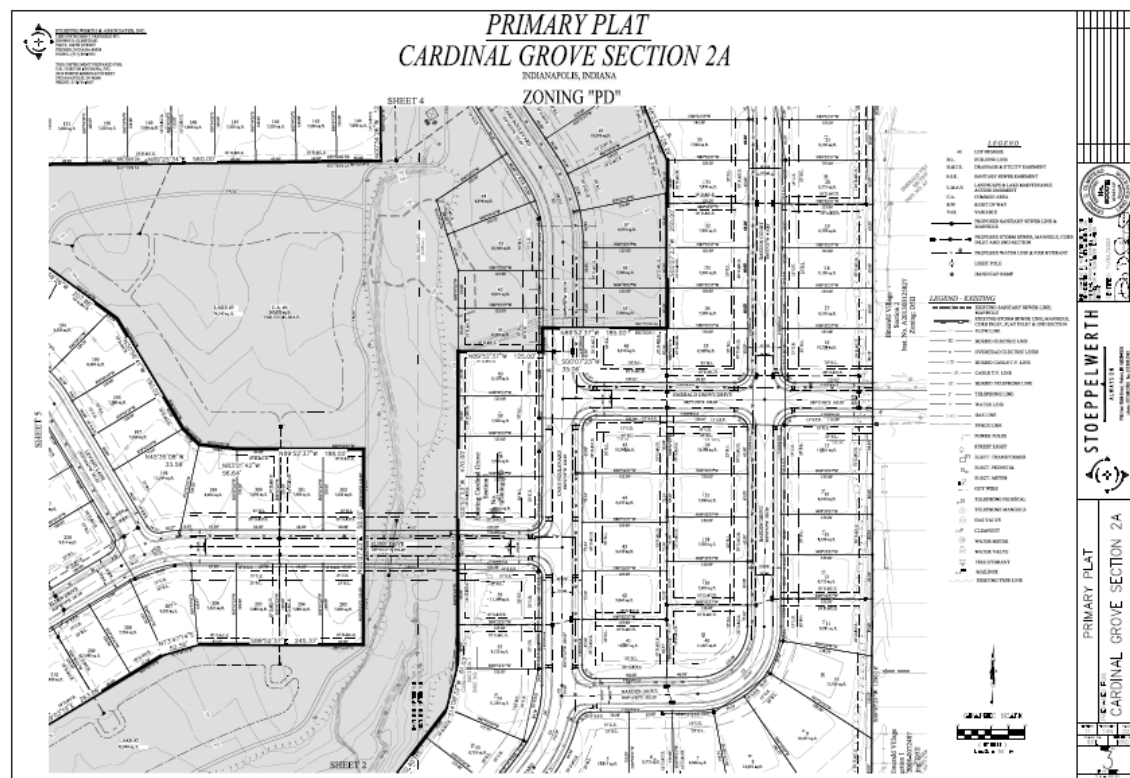
EXHIBITS

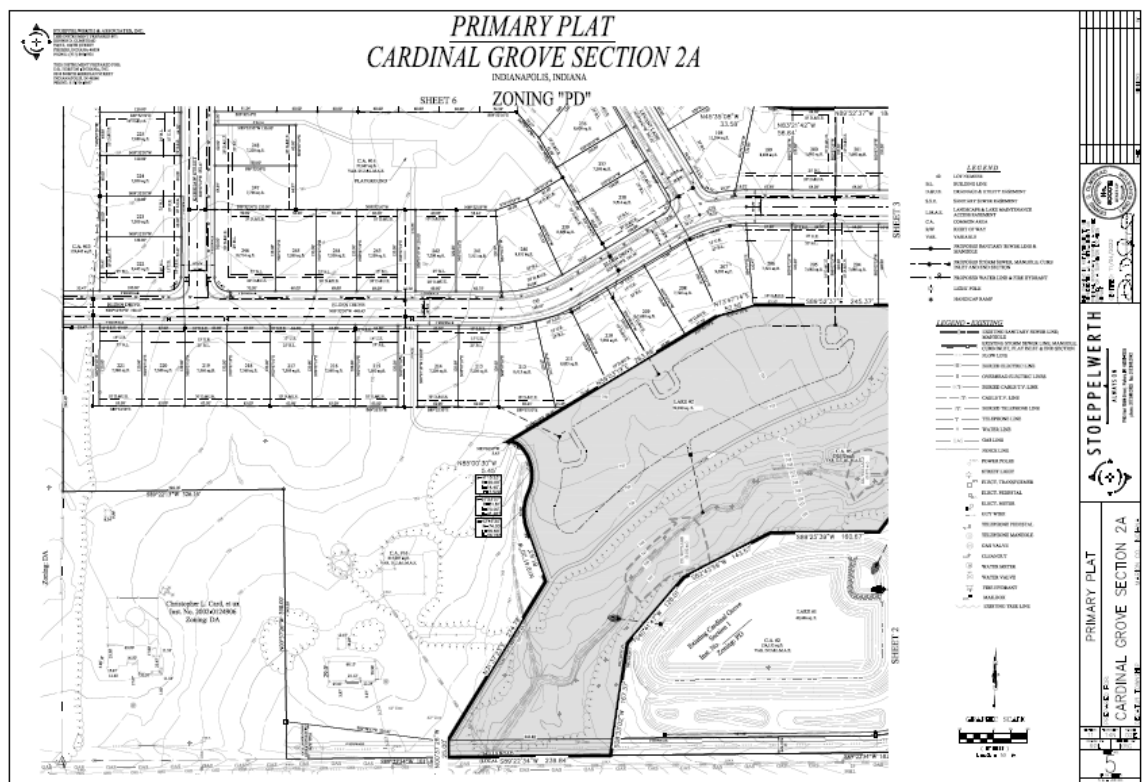


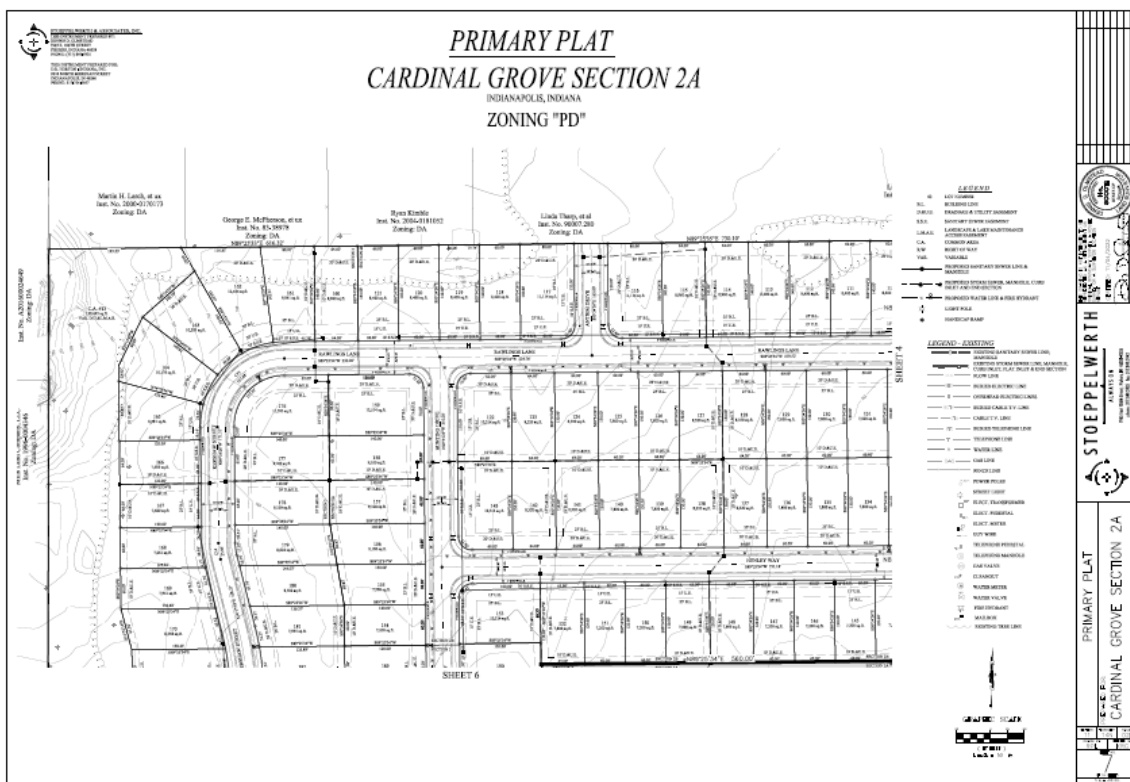


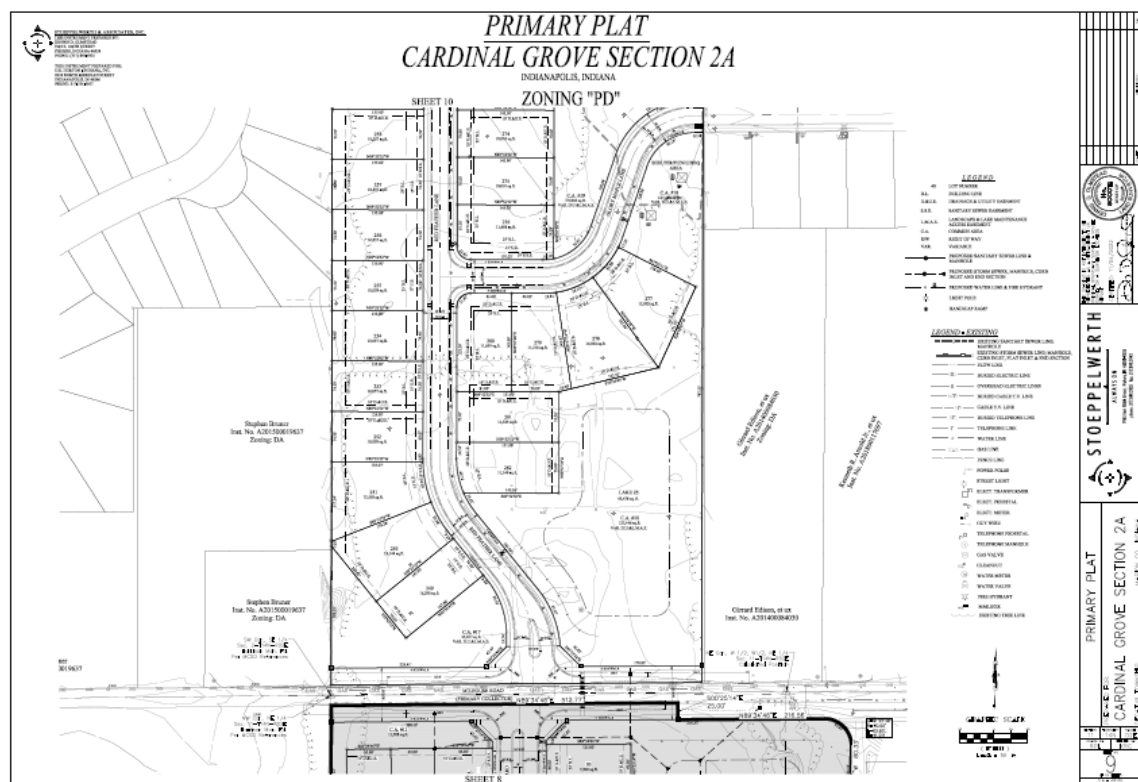


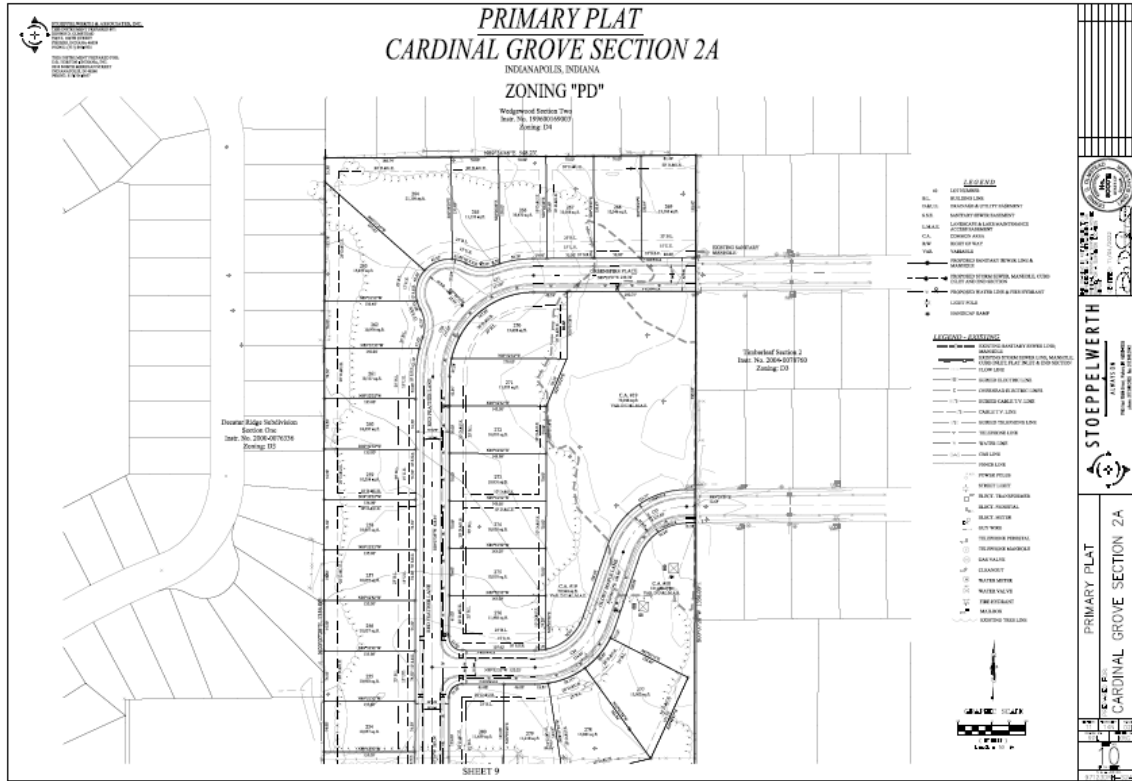


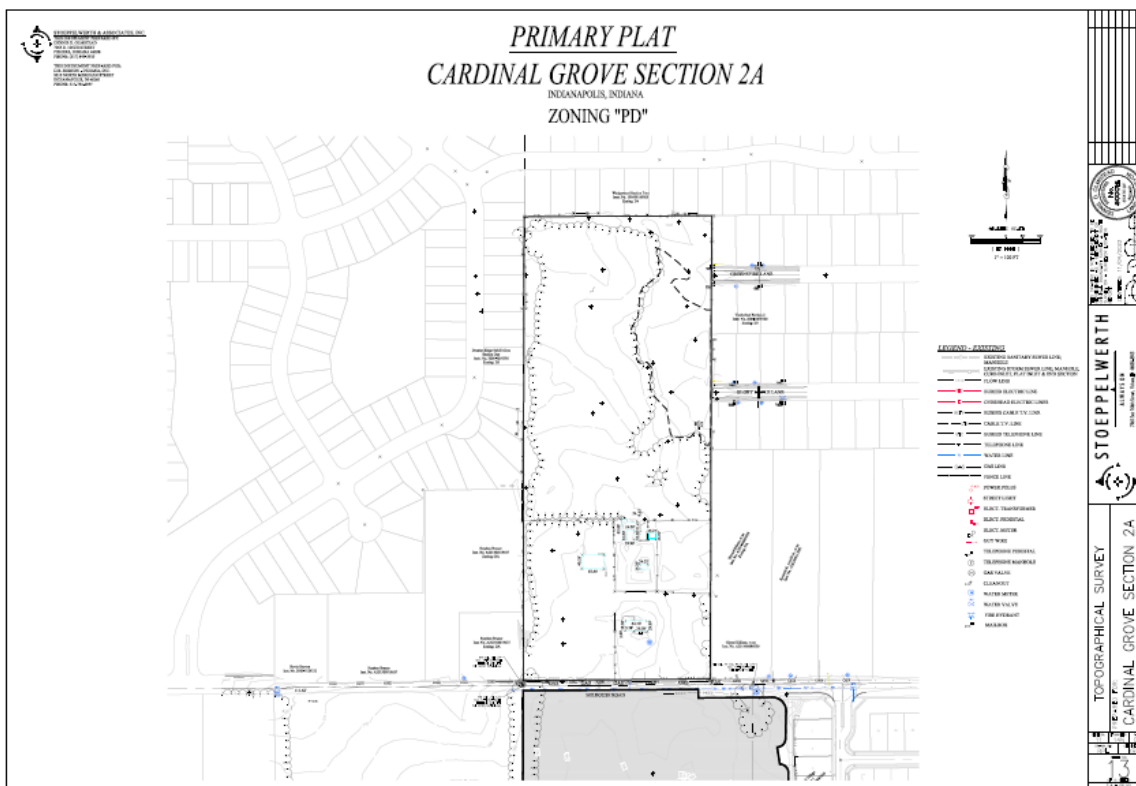
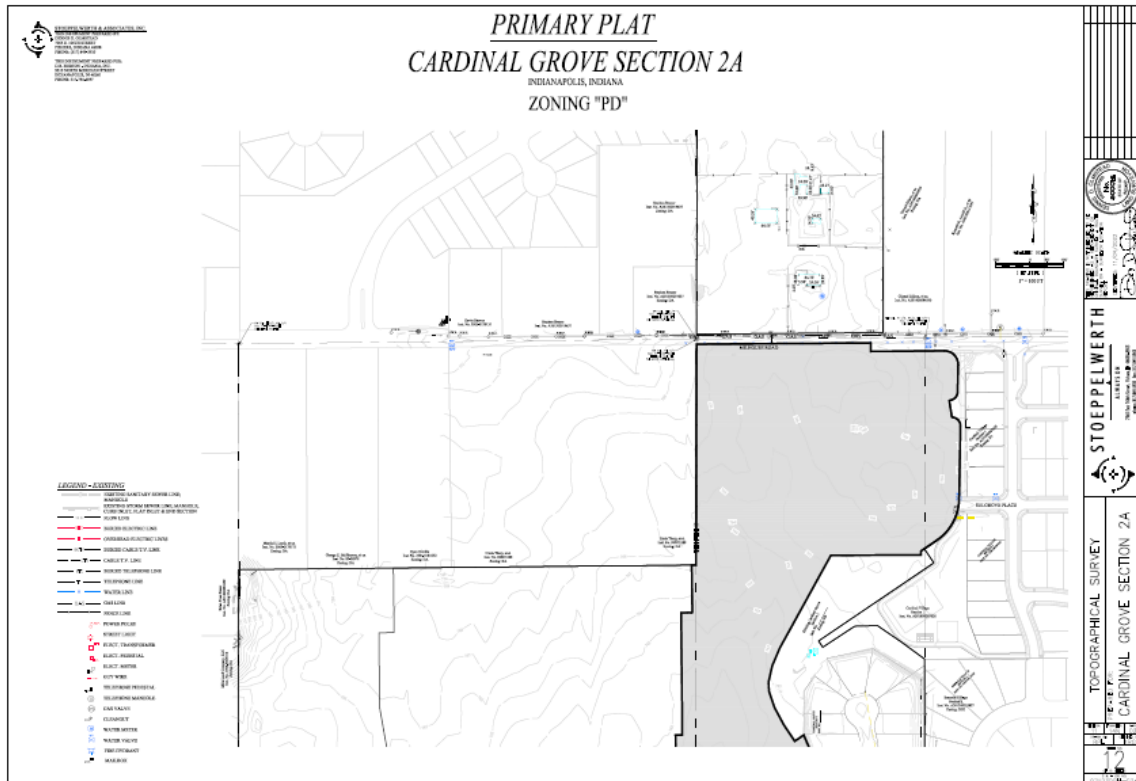




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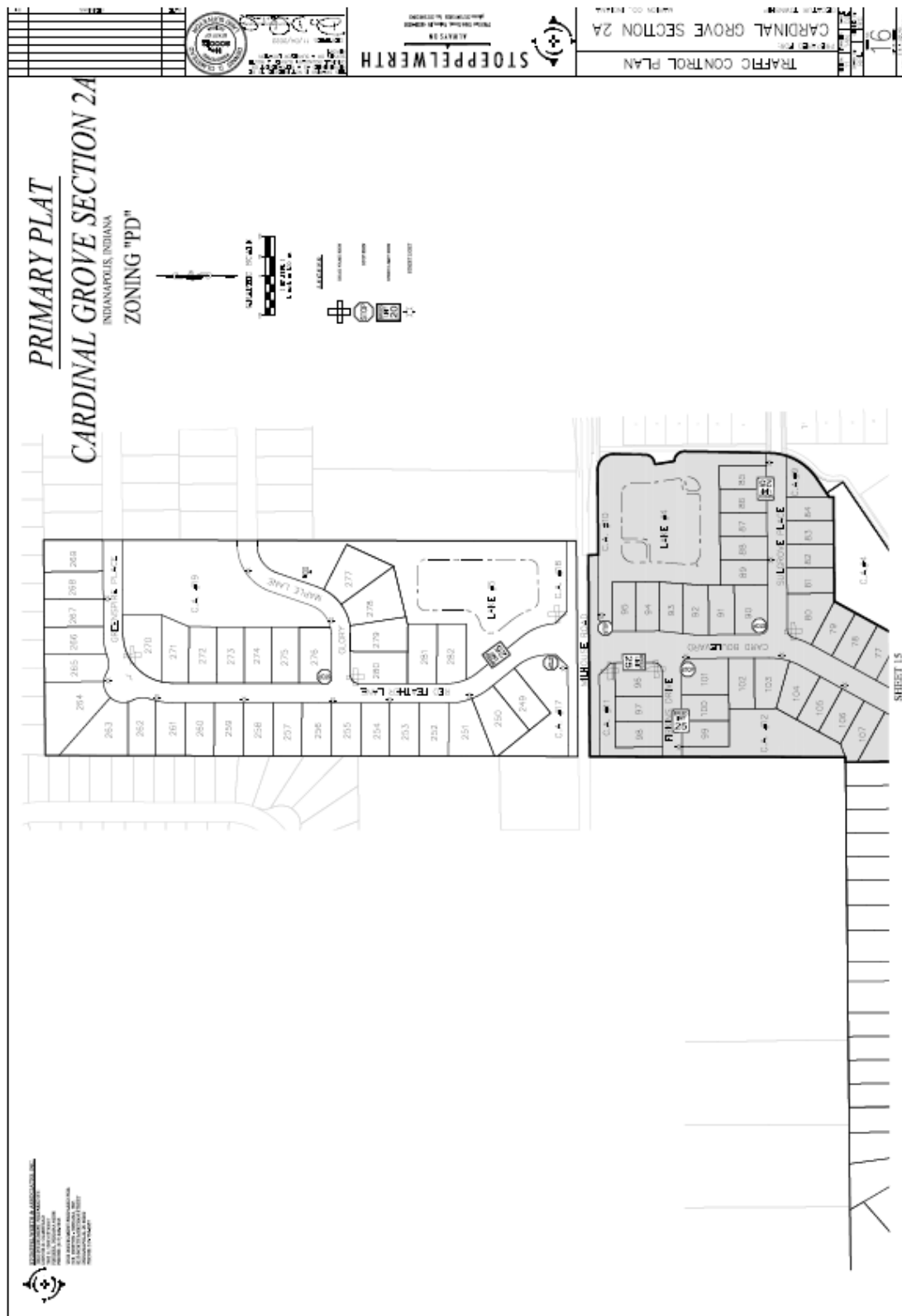
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PHOTOS



Subject site viewed from Sulgrove Place, east of site



Proposed Section Two A and B



Subject site, Milhouse Road Frontage



Proposed Section Two A and B



Section One and Two A, southeast of site



Subject site, Mills Road frontage



Subject site entrance on Mills Road



Proposed future Section Three



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

December 14, 2022

Case Number:	2022-PLT-084
Property Address:	7610 West County Line Road (<i>Approximate Address</i>)
Location:	Decatur Township, Council District #20
Petitioner:	D. R. Horton – Indiana, LLC, by Keith R. Gilson
Zoning:	D-P
Request:	Approval of a Subdivision Plat, to be known as Parks at Decatur, Section 2A, dividing 12.786 acres into 45 lots.
Waivers Requested:	None
Current Land Use:	Undeveloped / Agriculture
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 November 3, 2022, 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

The subject site is zoned D-P and is developed with an agricultural structure. It was rezoned to the D-P classification in 2021 (2021-ZON-048) to provide for the proposed single-family and two-family residential development. The primary plat was approved via 2021-PLT-076. The proposed plat generally meets the standards of the subdivision regulations and DP statement.

STREETS

The plat would provide for three new streets, including one cul-de-sac street.

SIDEWALKS

Sidewalks are required along County Line Road, and all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	Agricultural Preservation	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Agriculture
South:	N/A	Single-Family residential
East:	D-A	Single-Family residential
West:	D-A	Agriculture / Single-Family residential
Thoroughfare Plan		
County Line Road	Primary Collector	30-foot existing and 80-foot proposed
Petition Submittal Date	November 3, 2022	

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"> • Plat name, Legal Description, Surveyor Seal, Scale. • Boundary Lines, Existing Street Names and dimensions. • Layout of Proposed Streets – names, widths, classifications. • Layout of all easements and purpose thereof. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. • Area Map. 	Satisfied
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> • Traffic control street signs and devices. • Traffic calming devices. • Bicycle facilities. • Sidewalks and pedestrian facilities. • Transit facilities, such as bus stops pads or shelter. • Street lighting. 	Satisfied
	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • 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 • Location of Open Space Areas of the open space common area, indicating size and general improvements • Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	Satisfied
	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • 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; • 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; • 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 • 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. 	None
741-300 Design and Installation Standards	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.	EVALUATION

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

	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • <i>Comply with zoning district and any cluster approval or variance grant.</i> • <i>Lots must have positive drainage away from buildings.</i> • <i>No more than 25% of lot area may be under water.</i> • <i>Side lots lines at right angles to streets or radial to curving street line.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> 	Satisfied
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i> • <i>Triple frontage lots are prohibited.</i> • <i>Lots abutting alleys must have vehicular access exclusively from alley.</i> • <i>Lots shall not have direct access to arterial streets.</i> • <i>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.</i> 	Satisfied
	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • <i>Shall not exceed maximum block lengths per Table 741-302.1</i> • <i>If exceeded, it must be demonstrated that:</i> <ul style="list-style-type: none"> ○ <i>There are improved pedestrian easements at intervals of 400 feet or less.</i> ○ <i>Adequate traffic calming provisions are made.</i> ○ <i>The block length must be exceeded because of physical conditions of the land.</i> 	Satisfied
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>741-303.A – General:</p> <ul style="list-style-type: none"> • <i>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. Triple frontage lots are prohibited.</i> • <i>Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees.</i> • <i>Not more than two streets shall intersect at any one point.</i> • <i>Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets.</i> • <i>All streets shall be dedicated to the public. Alleys may be private.</i> • <i>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.</i> 	Satisfied

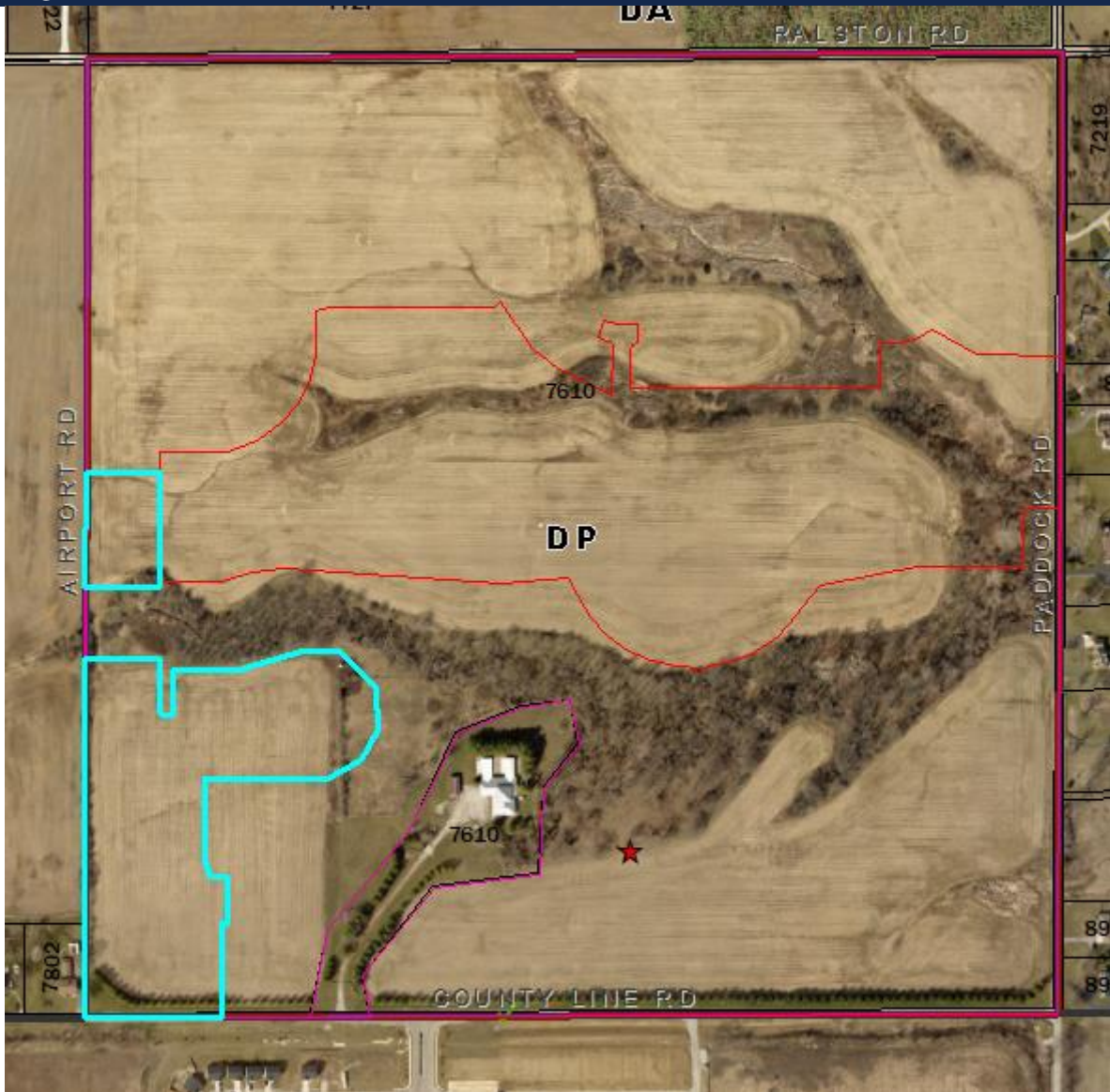
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Division of Planning
Current Planning**

	<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
	<p><i>741.305 – Numbering and naming:</i></p> <ul style="list-style-type: none"> <i>Street numbering per adopted addressing guidelines.</i> <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i> 	Street numbering not submitted
	<p><i>741.306 – Sidewalks:</i></p> <ul style="list-style-type: none"> <i>Sidewalks shall be provided along all internal and external streets.</i> 	Satisfied
	<p><i>741.307-309 – Easements, Utilities, Stream Protection Corridors:</i></p> <ul style="list-style-type: none"> <i>Utility easements shall be located along lot lines and shall be a minimum of 10 feet.</i> <i>All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance.</i> <i>Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise.</i> <i>All utilities shall be located underground.</i> <i>All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205.</i> 	Satisfied

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

	<p>741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):</p> <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
	<p>741.312 – Monuments</p> <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
	<p>741.313 – Flood Control:</p> <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
	<p>741.316 – Street Lighting:</p> <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). 	Satisfied

EXHIBITS





[illegible]









PHOTOS



Subject site, facing north



South of site



South of site



Subject site shown right



Intersection of County Line Road and Paddock Road. Subject site shown left



Subject site facing west



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

PLAT COMMITTEE

December 14, 2022

Case Number:	2022-PLT-085
Property Address:	7610 West County Line Road (<i>Approximate Address</i>)
Location:	Decatur Township, Council District #20
Petitioner:	D. R. Horton – Indiana, LLC, by Keith R. Gilson
Zoning:	D-P
Request:	Approval of a Subdivision Plat, to be known as Parks at Decatur, Section 2B, dividing 35.652 acres into 87 lots.
Waivers Requested:	None
Current Land Use:	Undeveloped / Agriculture
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 November 3, 2022, 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

The subject site is zoned D-P and is developed with an agricultural structure. It was rezoned to the D-P classification in 2021 (2021-ZON-048) to provide for the proposed single-family and two-family residential development. The primary plat was approved via 2021-PLT-076. The proposed plat generally meets the standards of the subdivision regulations and DP statement.

STREETS

The plat would provide for five new streets, including two cul-de-sac streets.

SIDEWALKS

Sidewalks are required along Paddock Road, and all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	Agricultural Preservation	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Agriculture
South:	N/A	Single-Family residential
East:	D-A	Single-Family residential
West:	D-A	Agriculture / Single-Family residential
Thoroughfare Plan		
County Line Road	Primary Collector	30-foot existing and 80-foot proposed
Petition Submittal Date	November 3, 2022	

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"> • Plat name, Legal Description, Surveyor Seal, Scale. • Boundary Lines, Existing Street Names and dimensions. • Layout of Proposed Streets – names, widths, classifications. • Layout of all easements and purpose thereof. • Layout of lots with numbering and dimensions. • Floodway/Floodplain Delineation. • Topographic Map. • Area Map. 	Satisfied
	<p>741-203.D – Traffic Control Plan</p> <ul style="list-style-type: none"> • Traffic control street signs and devices. • Traffic calming devices. • Bicycle facilities. • Sidewalks and pedestrian facilities. • Transit facilities, such as bus stops pads or shelter. • Street lighting. 	Satisfied
	<p>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</p> <ul style="list-style-type: none"> • 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 • Location of Open Space Areas of the open space common area, indicating size and general improvements • Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors) 	Satisfied
	<p>741-205 – Waivers</p> <ul style="list-style-type: none"> • The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property • 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; • 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; • 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 • 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. 	None
741-300 Design and Installation Standards	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.	EVALUATION

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

	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • <i>Comply with zoning district and any cluster approval or variance grant.</i> • <i>Lots must have positive drainage away from buildings.</i> • <i>No more than 25% of lot area may be under water.</i> • <i>Side lots lines at right angles to streets or radial to curving street line.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> 	Satisfied
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i> • <i>Triple frontage lots are prohibited.</i> • <i>Lots abutting alleys must have vehicular access exclusively from alley.</i> • <i>Lots shall not have direct access to arterial streets.</i> • <i>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.</i> 	Satisfied
	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • <i>Shall not exceed maximum block lengths per Table 741-302.1</i> • <i>If exceeded, it must be demonstrated that:</i> <ul style="list-style-type: none"> ○ <i>There are improved pedestrian easements at intervals of 400 feet or less.</i> ○ <i>Adequate traffic calming provisions are made.</i> ○ <i>The block length must be exceeded because of physical conditions of the land.</i> 	Satisfied
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>741-303.A – General:</p> <ul style="list-style-type: none"> • <i>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. Triple frontage lots are prohibited.</i> • <i>Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees.</i> • <i>Not more than two streets shall intersect at any one point.</i> • <i>Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets.</i> • <i>All streets shall be dedicated to the public. Alleys may be private.</i> • <i>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.</i> 	Satisfied

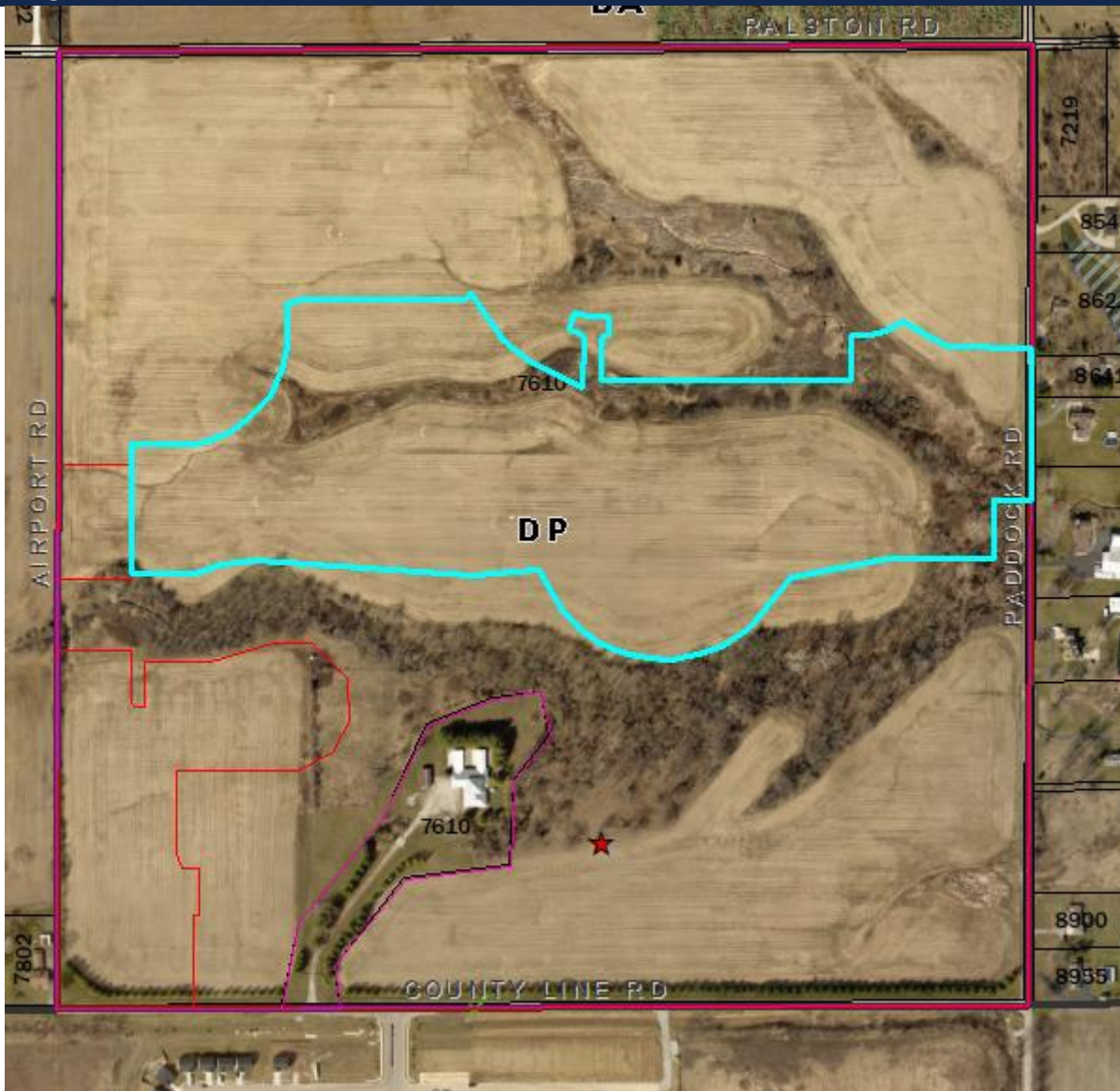
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Division of Planning
Current Planning**

	<p>741-303.B – Through Connectivity (Metro Context Area):</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>741-303.D – Cul-de-sacs (Metro Context Area):</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>741.304.A-C – Traffic Control Devices:</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
	<p>741.305 – Numbering and naming:</p> <ul style="list-style-type: none"> <i>Street numbering per adopted addressing guidelines.</i> <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i> 	Street numbering not submitted
	<p>741.306 – Sidewalks:</p> <ul style="list-style-type: none"> <i>Sidewalks shall be provided along all internal and external streets.</i> 	Satisfied
	<p>741.307-309 – Easements, Utilities, Stream Protection Corridors:</p> <ul style="list-style-type: none"> <i>Utility easements shall be located along lot lines and shall be a minimum of 10 feet.</i> <i>All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance.</i> <i>Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise.</i> <i>All utilities shall be located underground.</i> <i>All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205.</i> 	Satisfied

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Current Planning**

	<p><i>741.310 – Common Areas, Open Space and Public Sites (Compact Context Area):</i></p> <ul style="list-style-type: none"> <i>Required for subdivisions with more than 20 dwelling units.</i> <i>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.</i> <i>Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping.</i> <i>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.</i> <i>Reservation of land for public/semi-public purpose.</i> 	Satisfied
	<p><i>741.312 – Monuments</i></p> <ul style="list-style-type: none"> <i>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.</i> 	Satisfied
	<p><i>741.313 – Flood Control:</i></p> <ul style="list-style-type: none"> <i>All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</i> <i>Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</i> <i>For Zone AE areas, the plat must show the BFE topographic line.</i> <i>For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</i> 	Satisfied
	<p><i>741.316 – Street Lighting:</i></p> <ul style="list-style-type: none"> <i>All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</i> 	Satisfied

EXHIBITS





[illegible]













PHOTOS



Subject site, facing north



South of site



South of site



Subject site shown right



Intersection of County Line Road and Paddock Road. Subject site shown left



Subject site facing west



Subject site viewed from Paddock Road



Paddock Road frontage. Subject site shown right



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-086
Property Address: 1220 Waterway Boulevard (*Approximate Address*)
Location: Center Township, Council District #11
Petitioner: 16 Tech Community Corporation, by Michael J. Smith
Zoning: CBD-S (RC)
Request: Approval of a Subdivision Plat, to be known as 16 Tech – Line 'E', creating one 1.506-acre lot.
Waiver Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Jeffrey York, 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 November 4, 2022, 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.



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

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

The subject site is zoned CBD-S (RC) and is planned for future development as part of 16 Tech, a technology park. This proposed plat would create a public street that would connect Gent Avenue with Waterway Boulevard and would provide public access to newly divided lots to the west, which are 16 Tech, Lot 2A, Lot 2B and Lot 3.

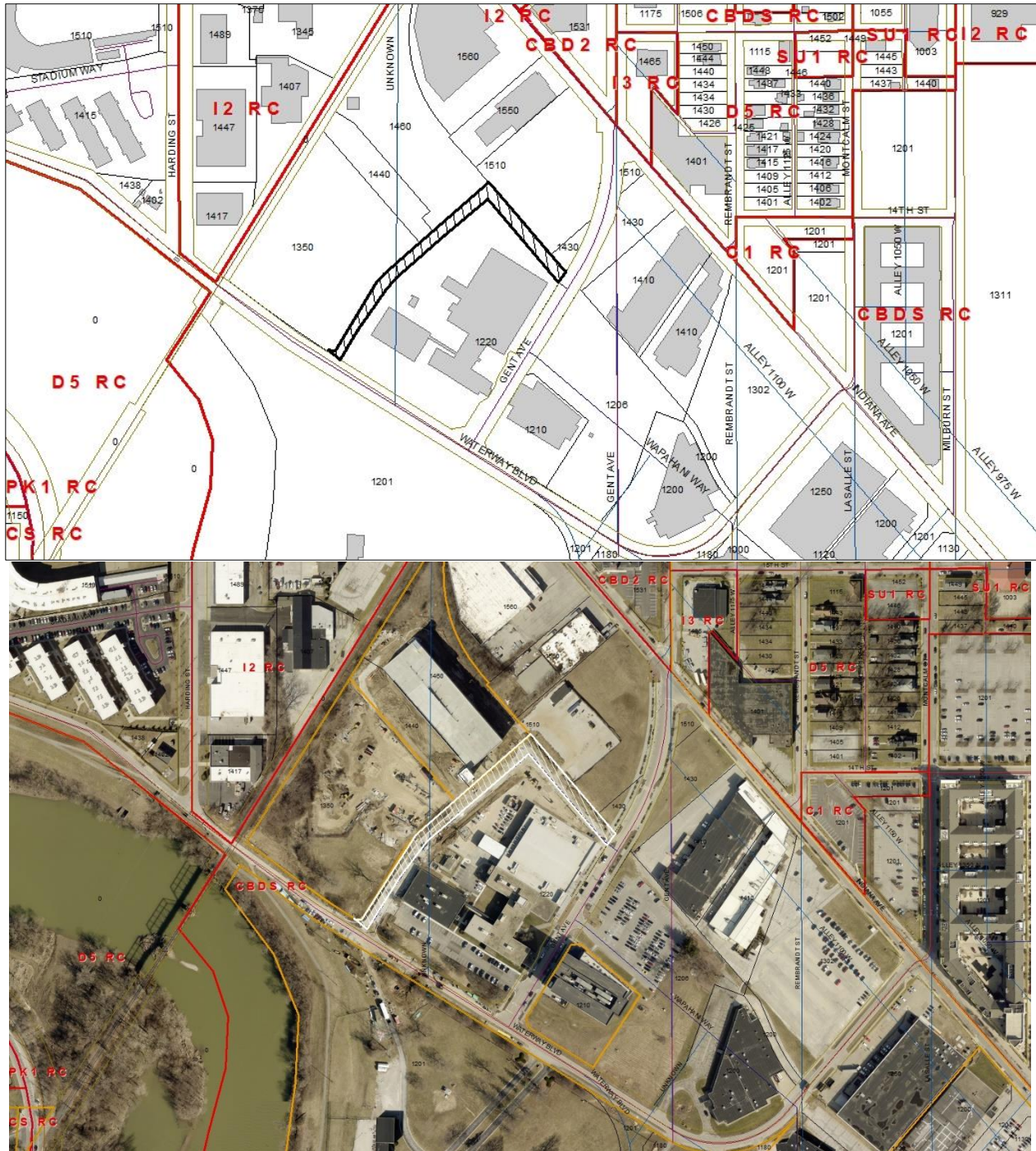
STREETS

This plat would create public street frontage on newly created lots in a developing mixed-use development.

GENERAL INFORMATION

Existing Zoning	CBD-S (RC)	
Existing Land Use	Currently undeveloped	
Comprehensive Plan	Institution-oriented mixed-use development	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	CBD-S (RC)	Light industrial
South:	CBD-S (RC)	Water pump station
East:	CBD-S (RC)	Light industrial
West:	I-2 (RC)	Light industrial
Thoroughfare Plan		
Gent Avenue	Local Street	60-foot existing and proposed
Waterway Boulevard	Local Arterial	60-foot existing and proposed
Petition Submittal Date	November 4, 2022	

EXHIBITS



Zoning map / Aerial

FLUT SCALE 1:20848 BIT DATE 3/4/21 - 10:36 AM EDITED BY TCMSTOCK DRAWING FILE P:\2015\02454.D DRAWINGS\SURVEY\SUBMISSION PLATS\LINE E\AREA MAP.DWG



0' 1000'
SCALE: 1"=1000'



AREA MAP

AMERICAN
STRUCTUREPOINT
INC.

7260 SHADELAND STATION
INDIANAPOLIS, IN 46256-3957
TEL 317.547.5580 FAX 317.543.0270
www.structurepoint.com

DATE: 10/31/2022

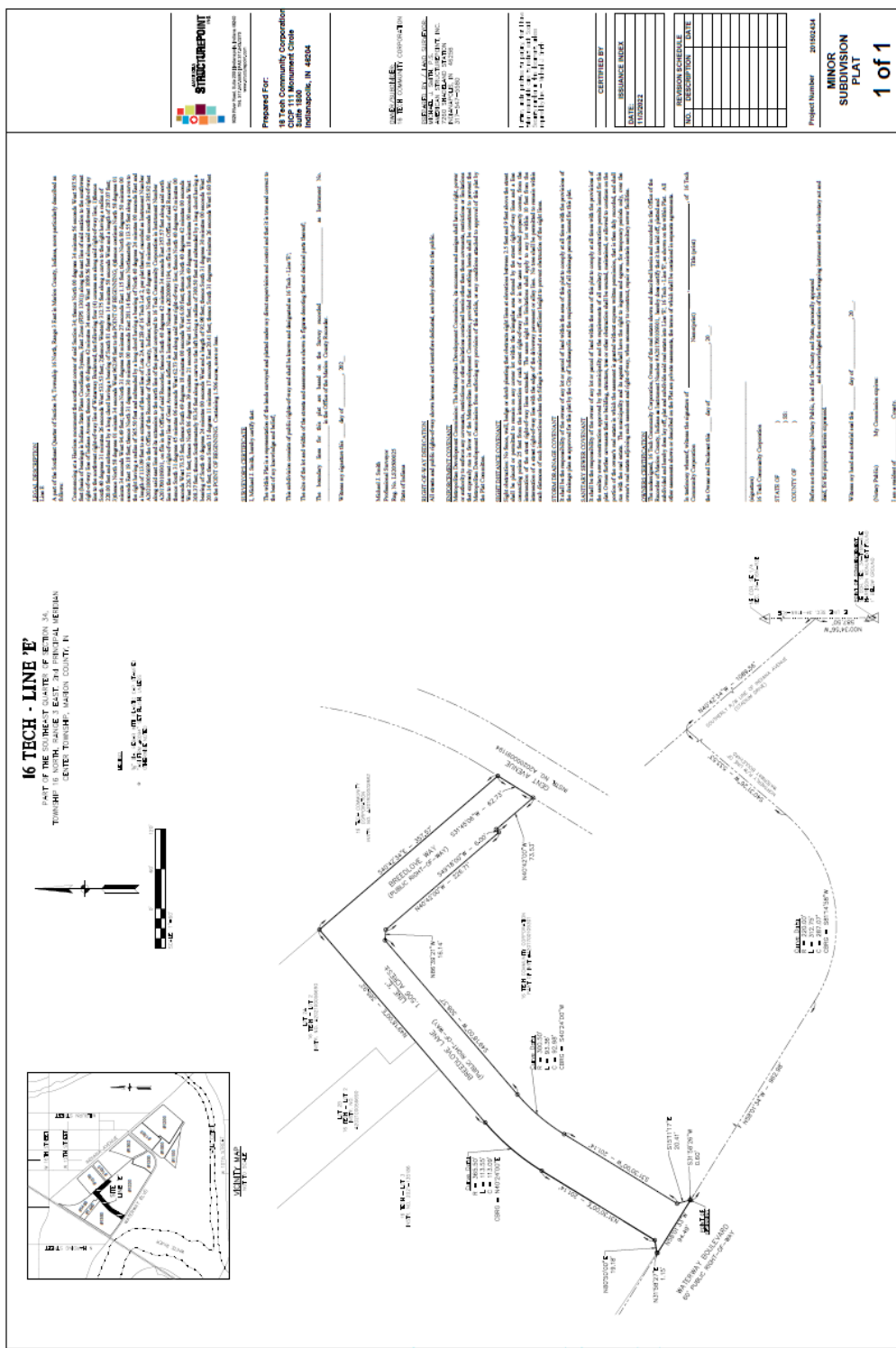
DRAWN BY: TMC

JOB NO. 2015.02454

SHEET NO.

1

of 1



Photos



View of the site from Waterway Boulevard

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-PLT-088
Property Address: 5212 Keystone Court (*Approximate Address*)
Location: Washington Township, Council District # 9
Petitioner: CNC Keystone Partners LLC, by Mark Leach
Zoning: C-5
Request: Approval of a Subdivision Plat to be known as Replat of Lot 2 in Keystone Court Minor Subdivision, a re-plat of a part of the east half of out lot 8 in Mallott Park, dividing 0.817-acre into two lots.
Waiver Requested: None
Current Land Use: Commercial Integrated Center
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 November 4, 2022, complies with the standards of the Subdivision regulations, subject to the following conditions: Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.

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

9. 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-5 and developed with a commercial integrated center. This site was platted as Lot Two via 2022-PLT-009. The proposed plat would further subdivide Lot Two into two lots, Lot Two A and Two B. The proposed plat generally meets the standards of the C-5 zoning classification.

STREETS

Lot Two B would front on 52nd Street. Lot Two A would be accessed via easement as shown on the preliminary plat. No new streets are proposed as part of this petition.

SIDEWALKS

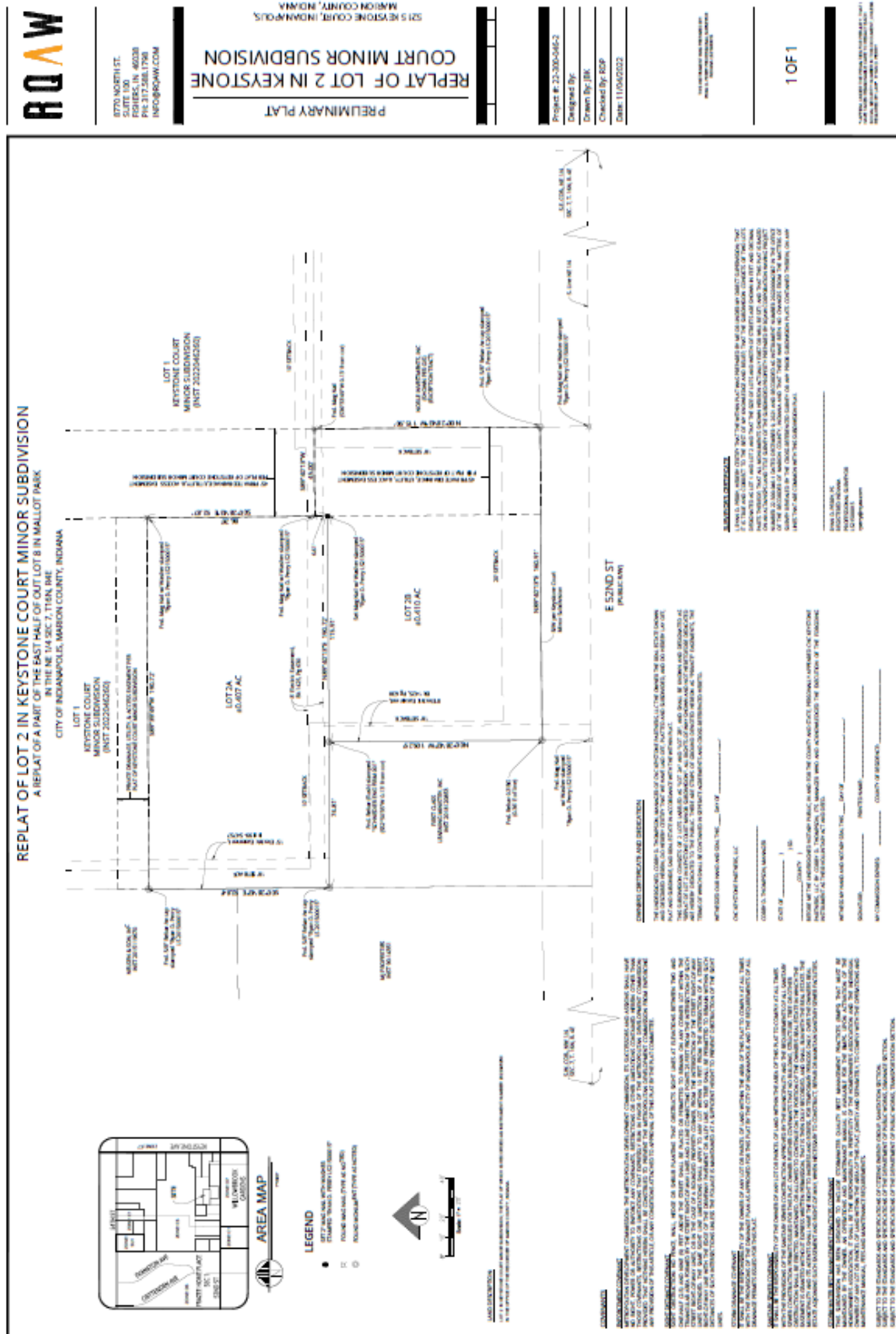
Sidewalks are existing along 52nd Street.

GENERAL INFORMATION

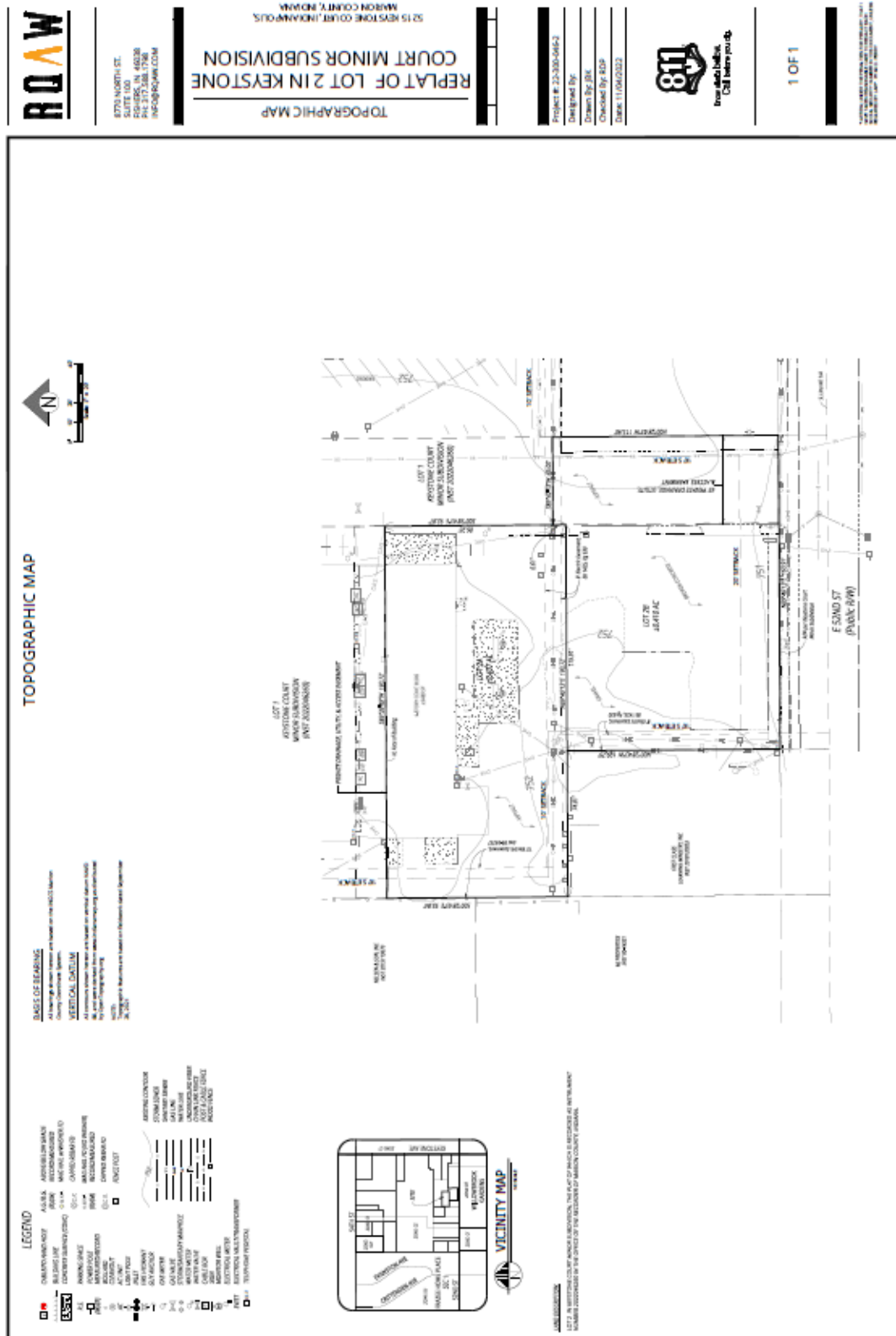
Existing Zoning	C-5	
Existing Land Use	Commercial Integrated Center	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-5	Commercial
South:	D-7	Multi-family Residential
East:	C-5	Commercial
West:	C-5	Commercial
Thoroughfare Plan		
52 nd Street	Primary Collector	48-feet existing and 56-feet proposed
Petition Submittal Date	November 4, 2022	

EXHIBITS





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



Photos



Proposed Lot Two A viewed from access easement



Proposed Lot Two A



Proposed Lot Two B, Two A shown in background

PLAT COMMITTEE

December 14, 2022

Case Number:	2022-PLT-089
Property Address:	1627 Oliver Avenue (<i>Approximate Address</i>)
Location:	Center Township, Council District # 16
Petitioner:	Roger Steward, by Brady Kuhn
Zoning:	C-7
Request:	Approval of a Subdivision Plat to be known as Stewart Subdivision, dividing 0.56-acre into two lots.
Waiver Requested:	None
Current Land Use:	Commercial and Residential
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 November 7, 2022, complies with the standards of the Subdivision regulations, subject to the following conditions: Subject to the Standards and Specifications of Citizens Energy Group, Sanitation Section.

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

9. 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-7 and developed with a commercial building with parking, and a single-family dwelling and accessory garage. The proposed plat would subdivide the property into two lots, Lot One and Two. Lot One would contain the commercial building and parking. Lot Two would contain the dwelling and garage. The proposed plat generally meets the standards of the C-7 zoning classification.

STREETS

Lot One and Two would front on Oliver Avenue. Lot One would be a corner lot and front on Richardt Street as well. No new streets are proposed as part of this petition.

SIDEWALKS

Sidewalks are existing along Oliver Avenue.

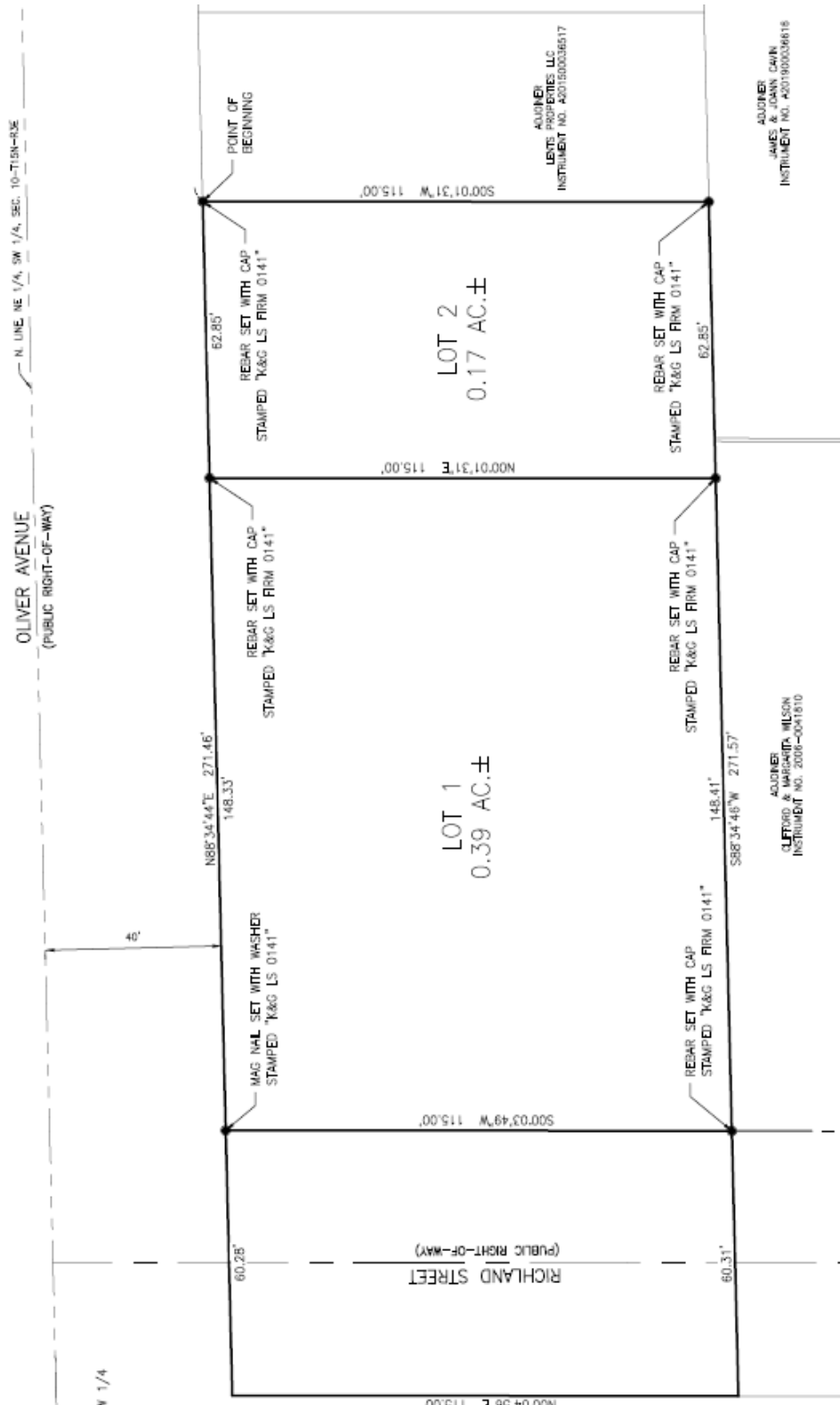
GENERAL INFORMATION

Existing Zoning	C-7	
Existing Land Use	Commercial / Residential	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	I-4	Industrial
South:	C-7	Residential
East:	C-7	Residential
West:	C-7	Commercial
Thoroughfare Plan		
Oliver Avenue	Primary Collector	70-feet existing and 88-feet proposed
Richardt Street	Local Street	60-feet existing and -feet proposed
Petition Submittal Date	November 7, 2022	

EXHIBITS



Plat Detail



PHOTOS



Subject Site, Oliver Avenue frontage



Proposed Lot Two



Richardt Avenue right-of-way, proposed Lot One



Oliver Avenue frontage, proposed Lot One

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-VAC-008
Property Address: 918 North Capitol Avenue (*Approximate Address*)
Location: Center Township, Council District #11
Petitioner: Civil and Environmental Consultants, Inc., by Anthony B. Syers
Zoning: CBD-2 (RC)
Request: Vacation of the first east-west alley south of 10th Street, being 15 feet wide, beginning at the west right-of-way line of Capitol Avenue, west 194.79 feet, to the east right-of-way line of Roanoke Street.
Waiver Requested: None
Current Land Use: Public alley
Staff Reviewer: Jeffrey York, Senior 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 held on January 11, 2023; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2022-VAC-008; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

PETITION OVERVIEW

SUMMARY

This petition, if approved, would vacate an east-west alley south of 10th Street and west of Capitol Avenue to provide land for a planned mixed-use development. This alley is improved with concrete and provides access to abutting properties. However, the planned development would combine the properties under one ownership. The north-south alley to the west, which is named Roanoke Street, would not be affected by this vacation if this petition would be approved.

PETITION OVERVIEW - CONTINUED

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.

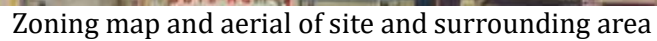
Petitioners and abutters of the vacated right-of-way should consult their own attorneys for advice regarding the ownership of the vacated right-of way.

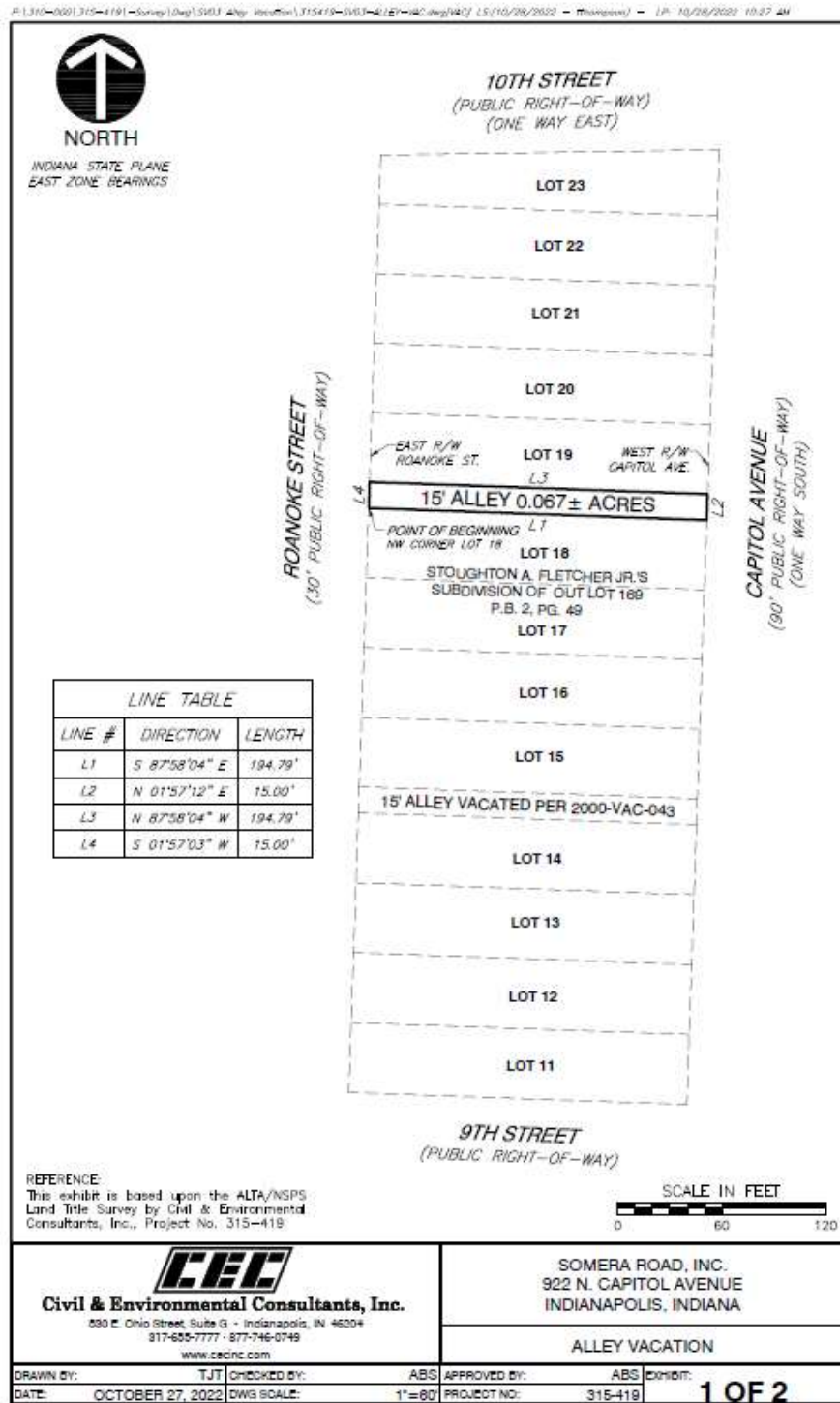
ASSESSMENT OF BENEFITS

The subject right-of-way is improved; therefore, the land shall be subject to an Assessment of Benefits.

GENERAL INFORMATION

Existing Zoning	CBD-2 (RC)	
Existing Land Use	Existing commercial buildings	
Comprehensive Plan	City Neighborhood development	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	CBD-2 (RC)	Stutz mixed-use development
South:	CBD-2 (RC)	Offices
East:	CBD-2 (RC)	Surface parking / commercial
West:	I-3 (RC)	Light industrial / commercial
Thoroughfare Plan		
Capitol Avenue	Primary arterial	78-foot existing and proposed
Petition Submittal Date	November 9, 2022	







Department of Metropolitan Development
Division of Planning
Current Planning

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15' WIDE ALLEY BETWEEN LOTS 18 AND 19
IN STOUGHTON A. FLETCHER JR.'S SUBDIVISION OF OUT LOT 189

The 15 foot wide east-west alley lying between Lots 18 and 19 in Stoughton A. Fletcher Jr.'s Subdivision of Out Lot 189 as recorded in Plat Book 2, page 49 in the Office of the Recorder of Marion County, Indiana, located in the City of Indianapolis, Center Township of Marion County, Indiana, being more particularly described by Tyler J. Thompson, LS21400006 of Civil & Environmental Consultants, Inc. on October 27, 2022, as follows:

Beginning at the northwest corner of said Lot 18, being the intersection of the east right-of-way of Roanoke Street and the south right-of-way of said 15 foot alley; thence South 87 degrees 58 minutes 04 seconds East (Indiana State Plane East Zone Grid Bearings) along the north line of said lot a distance of 194.79 feet to the west right-of-way of Capital Avenue; thence North 01 degrees 57 minutes 12 seconds East along said west right-of-way a distance of 15.00 feet to the southeast corner of said Lot 19; thence North 87 degrees 58 minutes 04 seconds West along the south line of said lot a distance of 194.79 feet to the southwest corner thereof and said east right-of-way of Roanoke Street; thence South 01 degrees 57 minutes 03 seconds West along said east right-of-way a distance of 15.00 feet to the Point of Beginning, containing 0.067 acres of land, more or less.

Tyler J. Thompson
Registered Land Surveyor No. LS21400006
October 27, 2022
tthompson@cecinc.com
prepared by Tyler J. Thompson



I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Tyler J. Thompson

REFERENCE:

This exhibit is based upon the ALTA/NSPS
Land Title Survey by Civil & Environmental
Consultants, Inc., Project No. 315-419

CEC
Civil & Environmental Consultants, Inc.
550 E. Ohio Street, Suite G - Indianapolis, IN 46204
317-655-7777 / 877-746-0749
www.cecinc.com

SOMERA ROAD, INC.
922 N. CAPITOL AVENUE
INDIANAPOLIS, INDIANA

ALLEY VACATION

DRAWN BY: TJT	CHECKED BY: ABS	APPROVED BY: ABS	EXHIBIT: 2 OF 2
DATE: OCTOBER 27, 2022	DWG SCALE:	PROJECT NO: 315-419	

Photos



View of Roanoke Street, looking north. Subject alley is to the north of the white building



View of subject alley, looking east toward Capitol Avenue



Curb cut to subject alley, from Capitol Avenue



View of subject alley from Capitol Avenue, looking west toward Roanoke Street (a named alley)

PLAT COMMITTEE

December 14, 2022

Case Number: 2022-VAC-005

Property Address: 1105 Prospect Street and 1121 Shelby Street (*Approximate Address*)

Location: Center Township, Council District #21

Petitioner: FS Theatre, LLC., by David Kingen and Emily Duncan

Zoning: C-S

Request: Vacation of the first east-west alley north of Morris Street, being 15 feet in width, beginning at the east right-of-way line of Shelby Street, east 159.53 feet to the southeast corner of Lot 4 of Block 2, Martindale's South Addition, with a waiver of the Assessment of Benefits.

Vacation of the first east-west alley north of Morris Street, being 12.88 feet in width, beginning at the southeast corner of Lot 4 of Block 2, Martindale's South Addition, east 39.13 feet to the southwest corner of Lot 6 of Block 2, Martindale's South Addition, with a waiver of the Assessment of Benefits.

Waiver Requested: Waiver of assessment of benefits

Current Land Use: Commercial

Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the fifth hearing for this petition.

This petition was granted a continuance for cause from the August 10, 2022 hearing to the September 14, 2022 hearing, from the September 14, 2022 hearing to the October 12, 2022 hearing, from the October 12, 2022 hearing to the November 9, 2022 hearing, and from the November 9, 2022 hearing to the December 14, 2022 hearing.

At the November 9, 2022 hearing, the plat committee asked staff if any commitments should be adopted if they were to approve the vacation against staff's recommendation. Staff suggested that if the alley is to be vacated, that vehicle access should be removed on Shelby Street by removing the curb cut and installing a sidewalk. The petition was continued to December 14, 2022 to provide time for the petitioner to submit commitments. The petitioner has submitted a commitment to install a chain or gate to limit vehicle access, but not remove it. This commitment does not meet the intent of staff's suggestion as discussed during the hearing. If vehicle access is to remain, it is further evidence that the vacation is not in the public interest and that the alley should remain. Staff continues to recommend denial of the vacation.

STAFF RECOMMENDATION

RECOMMENDED MOTION (denial): That the Plat Committee find that the proposed vacation is not in the public interest, and that the Plat Committee deny the adoption of Declaratory Resolution 2022-VAC-005.

If approved against staff's recommendation, the petitioner must submit a commitment to remove the curb cut and install a sidewalk on Shelby Street.

PETITION OVERVIEW

SUMMARY

The subject site includes the right-of-way for a platted alley that separates 1105 Prospect Street and 1121 Shelby Street. This alley was platted prior to the construction of Morris Street to the south. This request would remove the alley from public use and is intended to be used for outdoor dining. Staff does not believe that the vacation is in the public interest. There are several loading and service areas within this alley that would be affected by a vacation; if approved, any expansion of the existing loading bays or mechanical systems would require variances for being located within a front yard.

It is unclear if the addition of outdoor dining would cause the existing loading and service bays to be removed at this site. The ordinance requires that loading areas and other equipment are within a rear yard or alleys rather than front yards or other public right-of-way. Staff would not support a vacation that would create a non-compliance. The vacation of this alley would also create buildable area, which is not supported by staff. Expansion of the building would possibly require relocating of loading areas and equipment that would place them on busy streets with direct frontage. Staff would not support this type of development.

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 landowner 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.

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

ASSESSMENT OF BENEFITS

The petitioner has requested a waiver of the Assessment of Benefits for the subject right-of-way. Since this is an improved alley, staff would not recommend approval of the waiver.

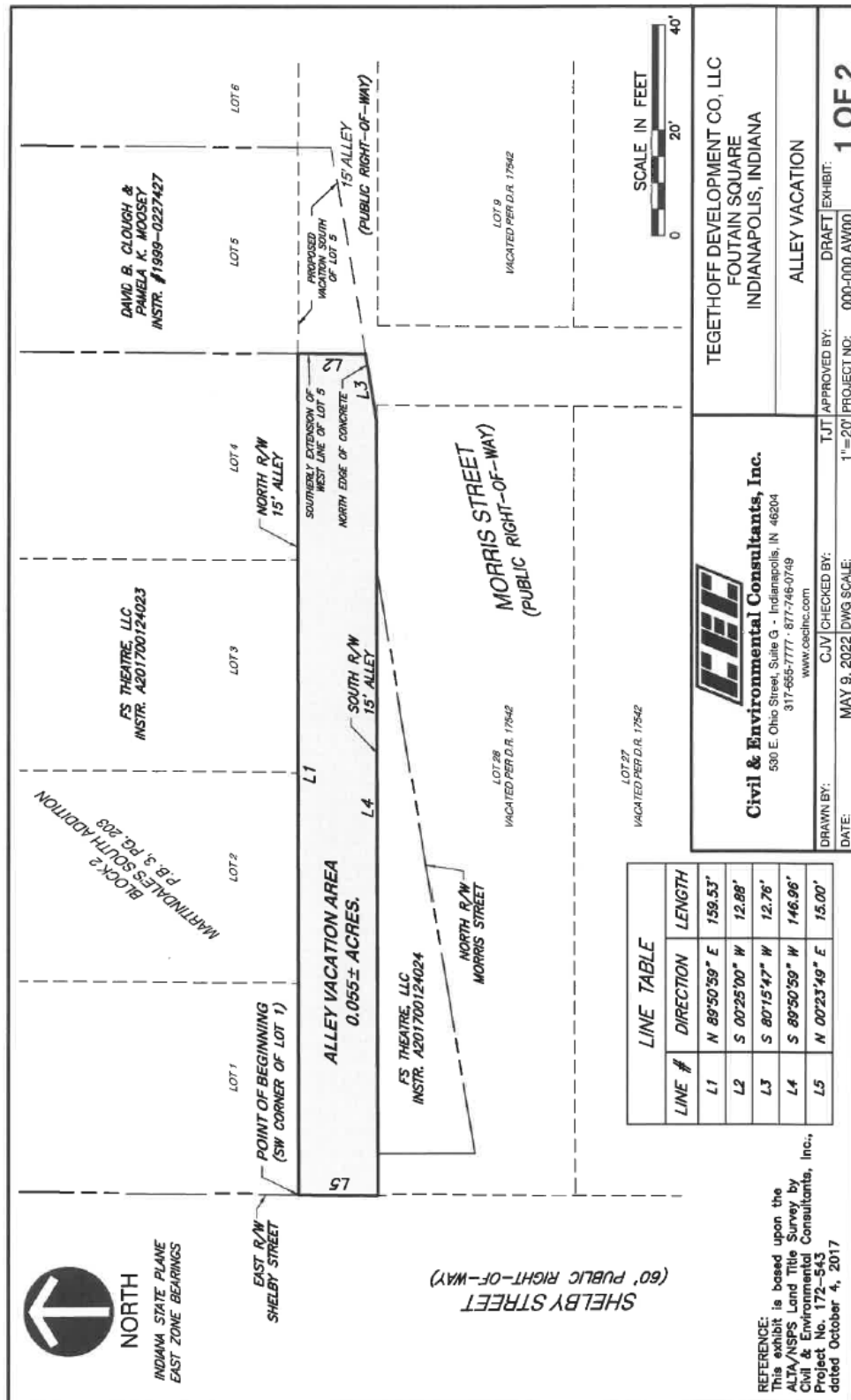
GENERAL INFORMATION

Existing Zoning	C-S	
Existing Land Use	Commercial	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3 / MU-2	Commercial
South:	C-4	Commercial
East:	D-5 / C-4	Single-Family Residential / Commercial
West:	C-4	Commercial
Thoroughfare Plan		
Kindig Road	Local Street	50-feet existing and proposed
Katherine Drive	Local Street	70-foot existing and 50-feet proposed
Petition Submittal Date	June 15, 2022	

EXHIBITS



Aerial Photo 1972

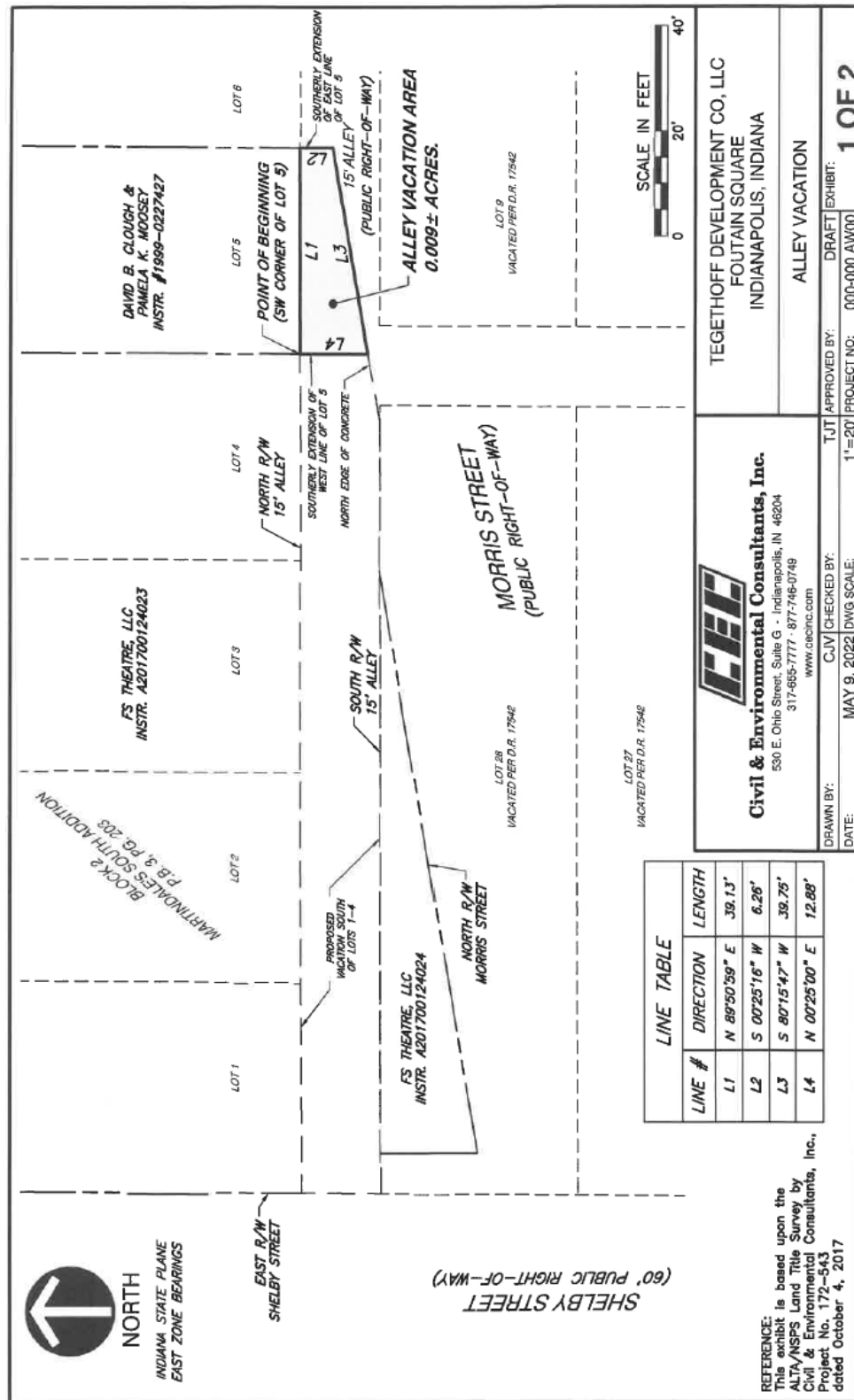


Civil & Environmental Consultants, Inc.
 530 E. Ohio Street, Suite G - Indianapolis, IN 46204
 317-655-1777 / 317-745-0749
 www.cecinc.com

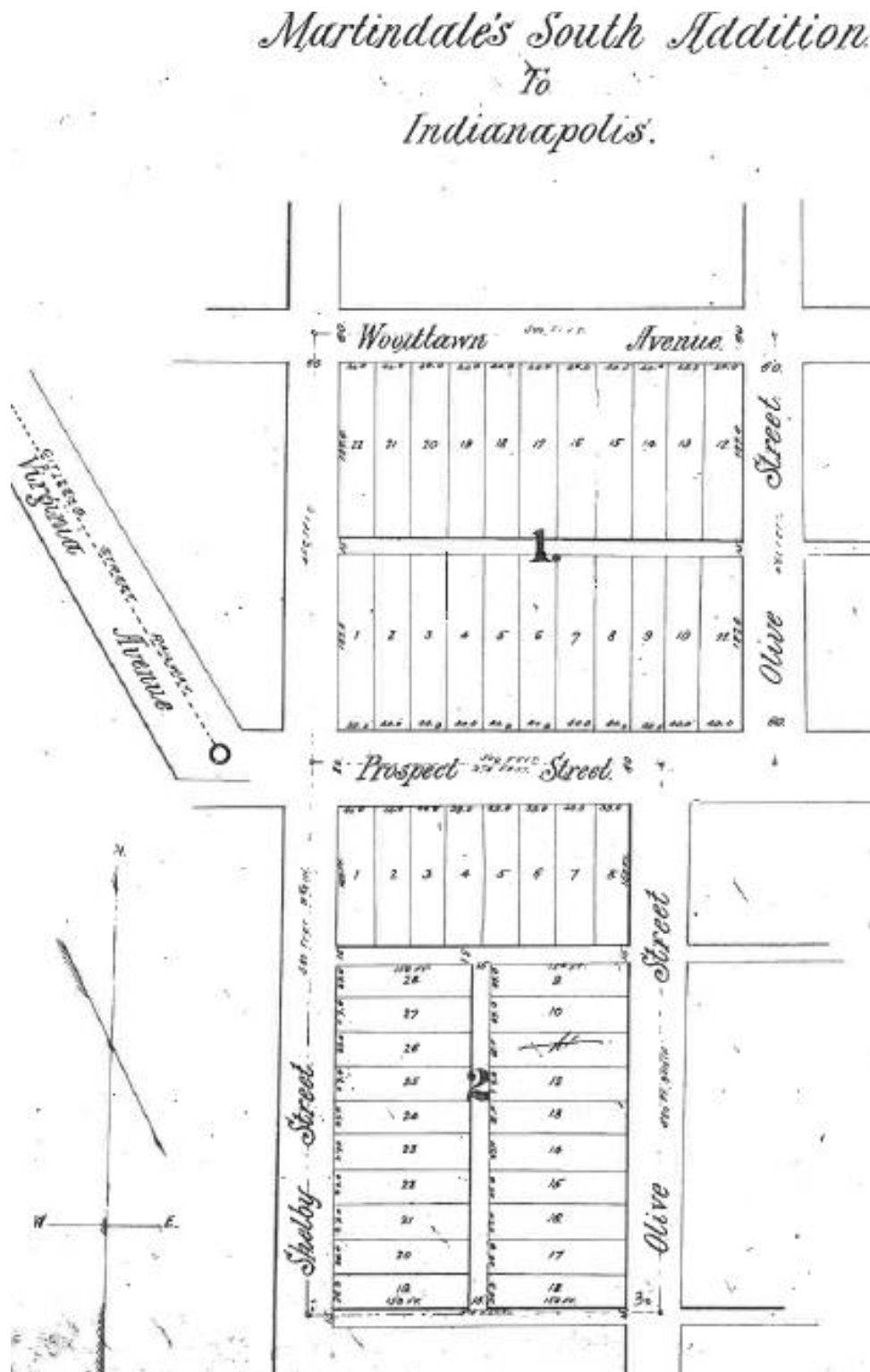
TEGETHOFF DEVELOPMENT CO, LLC
 FOUNTAIN SQUARE
 INDIANAPOLIS, INDIANA

ALLEY VACATION

DATE: MAY 9, 2022 **DWG SCALE:** 1"=20' **PROJECT NO:** 000-000.AW000 **DRAFT EXHIBIT:** 1 OF 2



Plat Map



PHOTOS



View of the intersection of the alley and Morris Street, facing west



East facing view of the alley. 1105 Prospect Street shown left, 1121 Shelby Street shown right.



View from intersection of the alley with Shelby Street; facing southeast



View from intersection of the alley with Shelby Street; facing northeast



View from the intersection of Shelby Street and Morris Street, facing east