



Metropolitan Development Commission Plat Committee (November) 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, November 09, 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:

1. 2022-PLT-074 | 6005 Sunnyside Road | Lawrence Township, CD #5

Approval of a Subdivision Plat, to be known as Replat of Lot #2 U-STOR Sunnyside, dividing 10.06 acres into two lots.

To be continued to December 14, 2022

Petitions for Public Hearing

PETITIONS TO BE EXPEDITED:

2. 2022-PLT-055 | 4504 East 17th Street | Center Township, CD #12, Zoned D-5

Joseph Hogan, by Sharmin Frye

Approval of a Subdivision Plat, to be known as Bigney's Duplex #1, dividing 0.14-acre into two lots.

3. 2022-PLT-056 | 7510 East Troy Avenue | Warren Township, CD #18, Zoned D-P

Davis Building Group, by Brian K. Robinson

Approval of a Subdivision Plat, to be known as Ridgefield, Section 2, dividing 10.05 acres into 45 single-family detached lots.

4. 2022-PLT-067 | 2525-2529 Guilford Avenue | Center Township, CD #17

Approval of a Subdivision Plat, to be known as Guilford Homes Addition, dividing 0.12-acre into two lots, and
Approval of a Subdivision Plat, to be known as Guilford Homes 2 Addition, dividing 0.12-acre into two lots.

5. 2022-PLT-071 | 1399 North Shadeland Avenue and 7007 East 14th Street | Warren Township, CD #19

Approval of a Subdivision Plat, to be known as Replat of Lots 4, 5, and 6 of Warren Terrace Addition, dividing 2.053 acres into three lots.

[6.](#) 2022-PLT-072 | 610 West 40th Street | Washington Township, CD #7

Approval of a Subdivision Plat, to be known as Daas Replat of Lot 221 in Culver, Riggs, and Lynn's Subdivision, dividing 0.12-acre into two lots.

[7.](#) 2022-PLT-073 | 25 North Highland Avenue | Center Township, CD #17

Approval of a Subdivision Plat, to be known as Mendoza's Highland Avenue Townhomes, dividing 0.11-acre into two single-family attached lots.

[8.](#) 2022-PLT-075 | 8511 Madison Avenue | Perry Township, CD #23

Approval of a Subdivision Plat, to be known as Southplex Commercial Subdivision, dividing 5.28 acres into two lots.

[9.](#) 2022-PLT-076 | 8615, 8649, 8701, and 8707 Shelby Street | Perry Township, CD #23

Approval of a Subdivision Plat, to be known as Shelby Street Property Subdivision, dividing 18.559 acres into two lots.

[10.](#) 2022-PLT-077 | 9330, 9335, 9435 and 9440 East 56th Street | Lawrence Township, CD #4

Approval of a Subdivision Plat, to be known as Replat of Otis Place, dividing 2.709 acres into one block.

[11.](#) 2022-PLT-078 | 2401 North College Avenue | Center Township, CD #17

Approval of a Subdivision Plat, to be known as Ronald's Addition, dividing 0.47-acre into two lots.

[12.](#) 2022-VAC-006 | 3320 Lindbergh Drive | Perry Township, CD #24

Vacation of a utility easement, being eight feet wide, from a point four feet north of the southeast corner of Lot 46 of Lindbergh Highlands 93.05 feet to a point four feet north of the southwest corner of Lot 45 of said subdivision.

PETITIONS FOR PUBLIC HEARING (Continued Petitions):

[13.](#) 2022-PLT-048 (Amended) | 7320 East Hanna Avenue | Franklin Township, CD #18, Zoned D-3

M/I Homes of Indiana LP by Michael Reeve

Approval of a Subdivision Plat, to be known as Grayson, dividing 78.74 acres into 178 lots, with a waiver of the requirement to connect to an existing public street to the north.

[14.](#) 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):

15. 2022-VAC-007 | 1331 East Washington Street | Center Township, CD #17

Vacation of the first north-south alley west of Oriental Street, being 10 feet in width, beginning at the south right-of-way line of Washington Street, south 485.03 feet, to the north line of a previously vacated alley, per

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

November 9, 2022

Case Number: 2022-PLT-074
Property Address: 6005 Sunnyside Road (*Approximate Address*)
Location: Lawrence Township, Council District #5
Petitioner: Sandlian Investments LLC, by Janie Sandlian and Donna Smithers
Zoning: C-4
Request: Approval of a Subdivision Plat, to be known as Replat of Lot #2 USTOR Sunnyside, dividing 10.06 acres into two lots.
Waiver Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Jeffrey York, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition. The petitioner has submitted a written request to **continue** this petition to the **December 14, 2022**, hearing, in order to submit an amended petition and plat. This request would require new notice. A staff report will be available prior to the hearing.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-055
Property Address: 4504 East 17th Street (*Approximate Address*)
Location: Center Township, Council District # 12
Petitioner: Joseph Hogan, by Sharmin Frye
Zoning: D-5
Request: Approval of a Subdivision Plat, to be known as Bigney's Duplex #1, dividing 0.14-acre into two lots.
Waiver Requested: None
Current Land Use: Two-Family Dwelling
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the third hearing for this plat petition.

This petition was continued from the October 12, 2022 to provide for mailed legal notice. The affidavit of notice was received October 20, 2022. This petition was continued from the September 14, 2022 hearing to the October 12, 2022 hearing to allow time for the petitioner to apply for a variance of development standards for a duplex with less than the minimum required lot area and lot width. This petition was granted at the October 4, 2022 Board of Zoning Appeals Hearing via case number 2022-DV1-050.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated July 26, 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.



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

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

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is zoned D-5 and developed with a two-family dwelling. This proposed plat would divide the existing parcel into two lots. Lots 127A and 127B 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 property received a variance of development standards for a duplex on a lot with 6,049 square feet and a 39-foot lot width via 2022-DV1-050. The 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 127A and 127B would front on East 17th Street with alley access on the rear. No new streets are proposed.

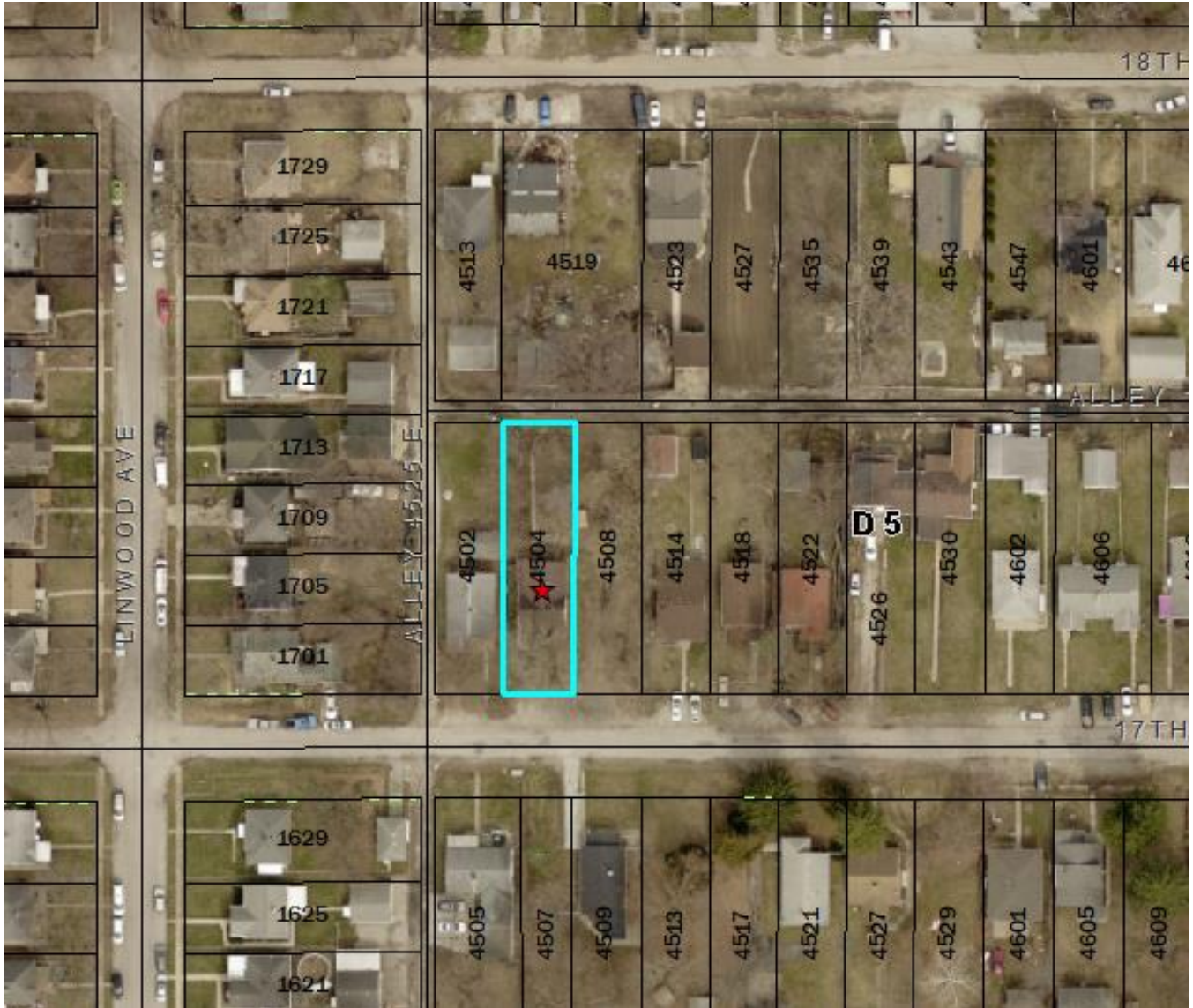
PROCEDURE

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

GENERAL INFORMATION

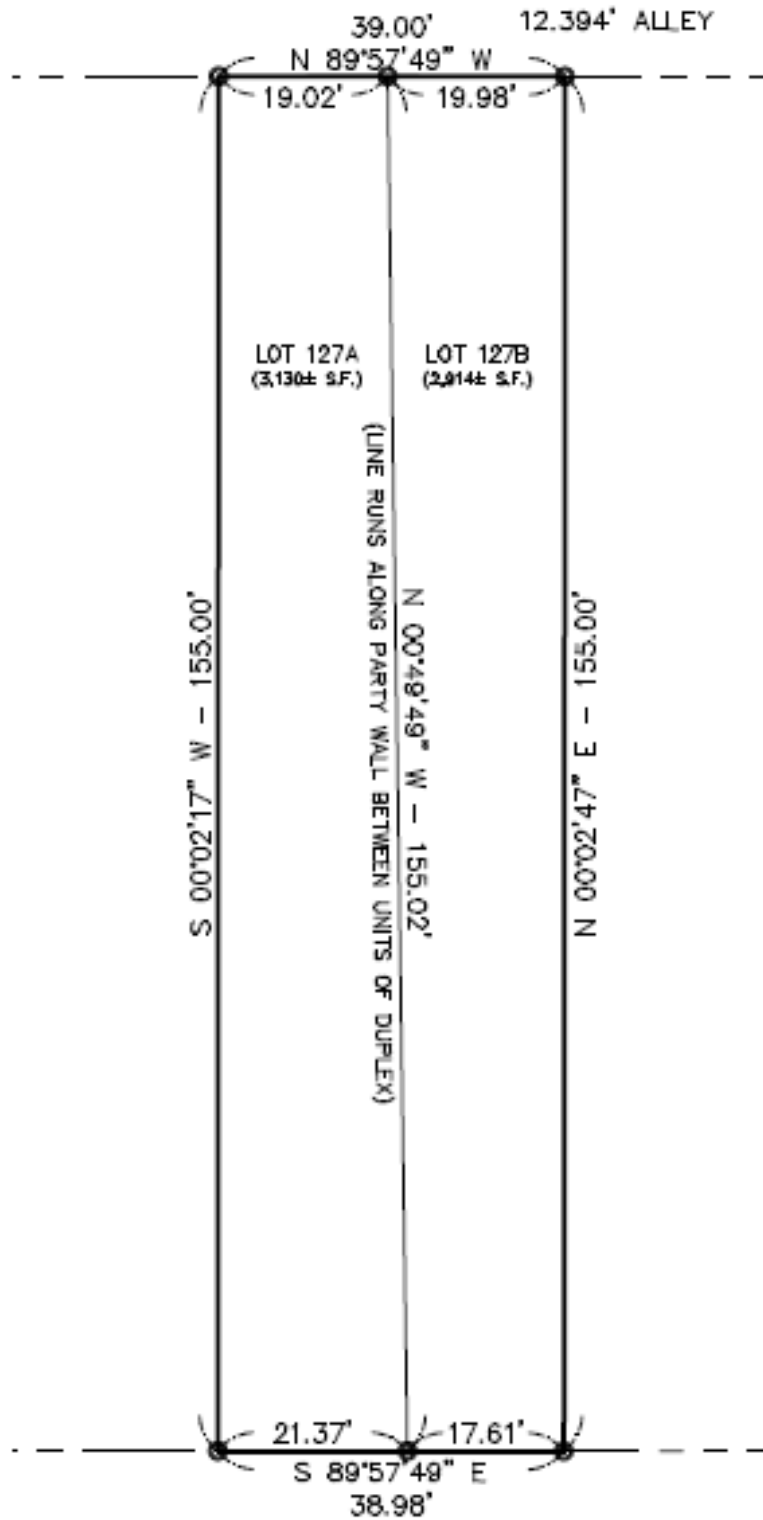
Existing Zoning	D-5	
Existing Land Use	Two-family dwelling	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-Family residential
South:	D-5	Single-Family residential
East:	D-5	Single-Family residential
West:	D-5	Single-Family residential
Thoroughfare Plan		
17 th Street	Local Street	55-foot existing and proposed
Petition Submittal Date	July 26, 2022	

EXHIBITS



[illegible]

Plat Detail



PHOTOS



Subject site viewed from 17th Street, looking north



Subject site rear yard, looking east



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number:	2022-PLT-056
Property Address:	7510 East Troy Avenue (<i>Approximate Address</i>)
Location:	Warren Township, Council District #18
Petitioner:	Davis Building Group, by Brian K. Robinson
Zoning:	D-P
Request:	Approval of a Subdivision Plat, to be known as Ridgefield, Section 2, dividing 10.05 acres into 45 single-family detached lots.
Waivers Requested:	None
Current Land Use:	Undeveloped
Staff Reviewer:	Allison Richardson, Senior Planner

PETITION HISTORY

This is the third hearing for this plat petition.

This petition was continued for cause to the November 9, 2022 hearing to request a waiver. The preliminary plat was revised to eliminate the need for a waiver on October 19, 2022. This petition was granted a continuance for cause from the September 14, 2022 hearing to the October 12, 2022 hearing.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 19, 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.



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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

The subject site is zoned D-P and is undeveloped. It was rezoned to the D-P classification in 2003 (2003-ZON-085) to provide for the proposed single-family residential development. The proposed plat generally meets the standards of the zoning classification and the zoning commitments.

STREETS

The plat would provide for three new streets: Sebastian Place, Brahms Way, and Franz Way. Sebastian Place runs east to west and connects Section One to Hanover North Subdivision to the east. Brahms Way runs northeast to southwest and intersects Sebastian Place, and Strauss Lane—a street in Section One. Franz Way is a stub street that would provide for future development to connect to this subdivision.

SIDEWALKS

Sidewalks are required along East Troy Avenue and all proposed interior streets.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	SU-9	Undeveloped / County Fairgrounds
South:	D-P	Undeveloped / Single-Family Residential
East:	D-P / PK-1	Single-Family Residential / Park
West:	D-P	Undeveloped / Single-Family Residential
Thoroughfare Plan		
Troy Avenue	Primary Collector	143-foot existing and proposed
Petition Submittal Date	July 29, 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>

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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

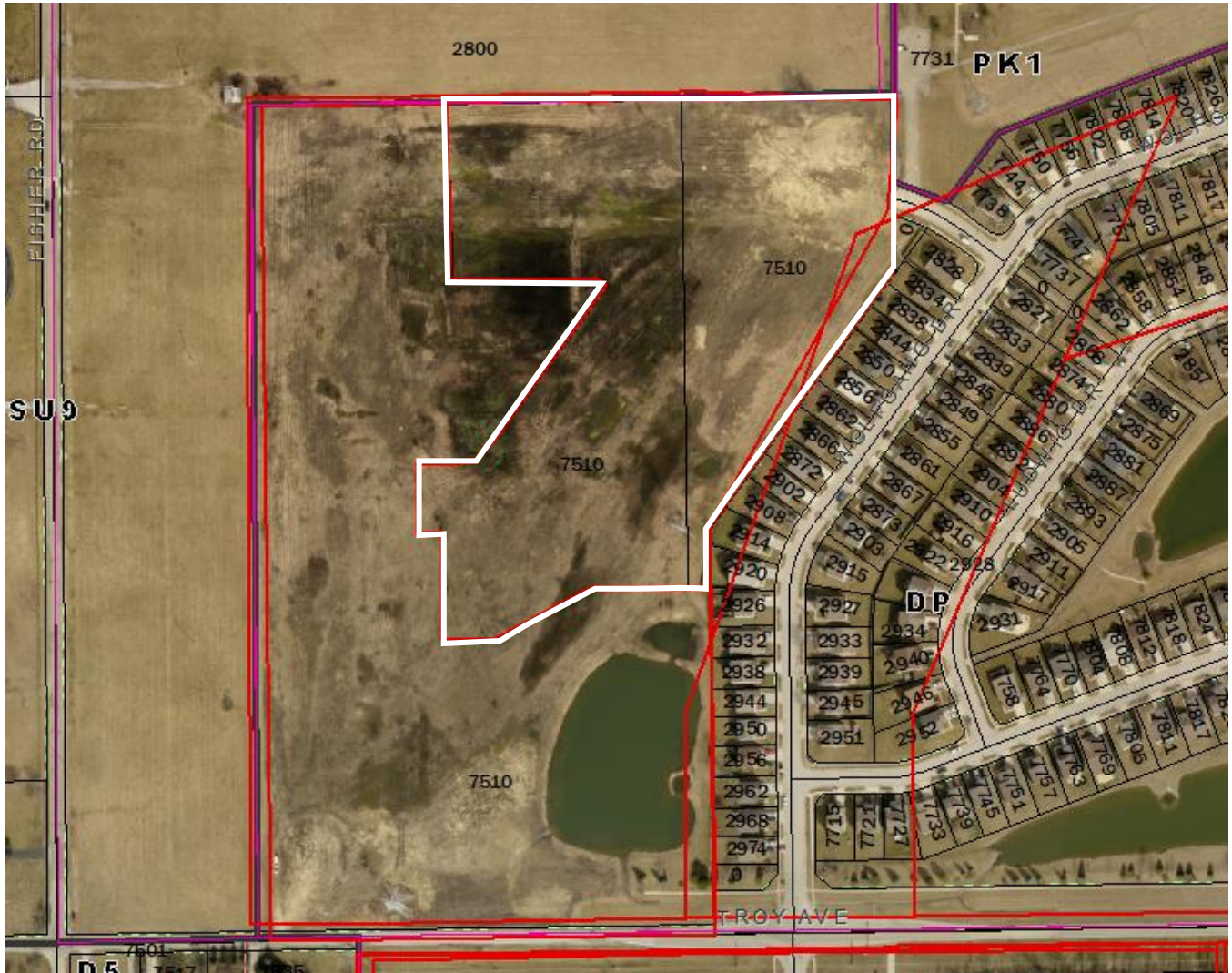
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741-303 Streets and Connectivity	All proposed plats shall allocate adequate areas for streets in conformity with the Comprehensive Plan and Official Thoroughfare Plan for Marion County, Indiana, and these regulations.	EVALUATION
	<p><i>741-303.A –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

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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



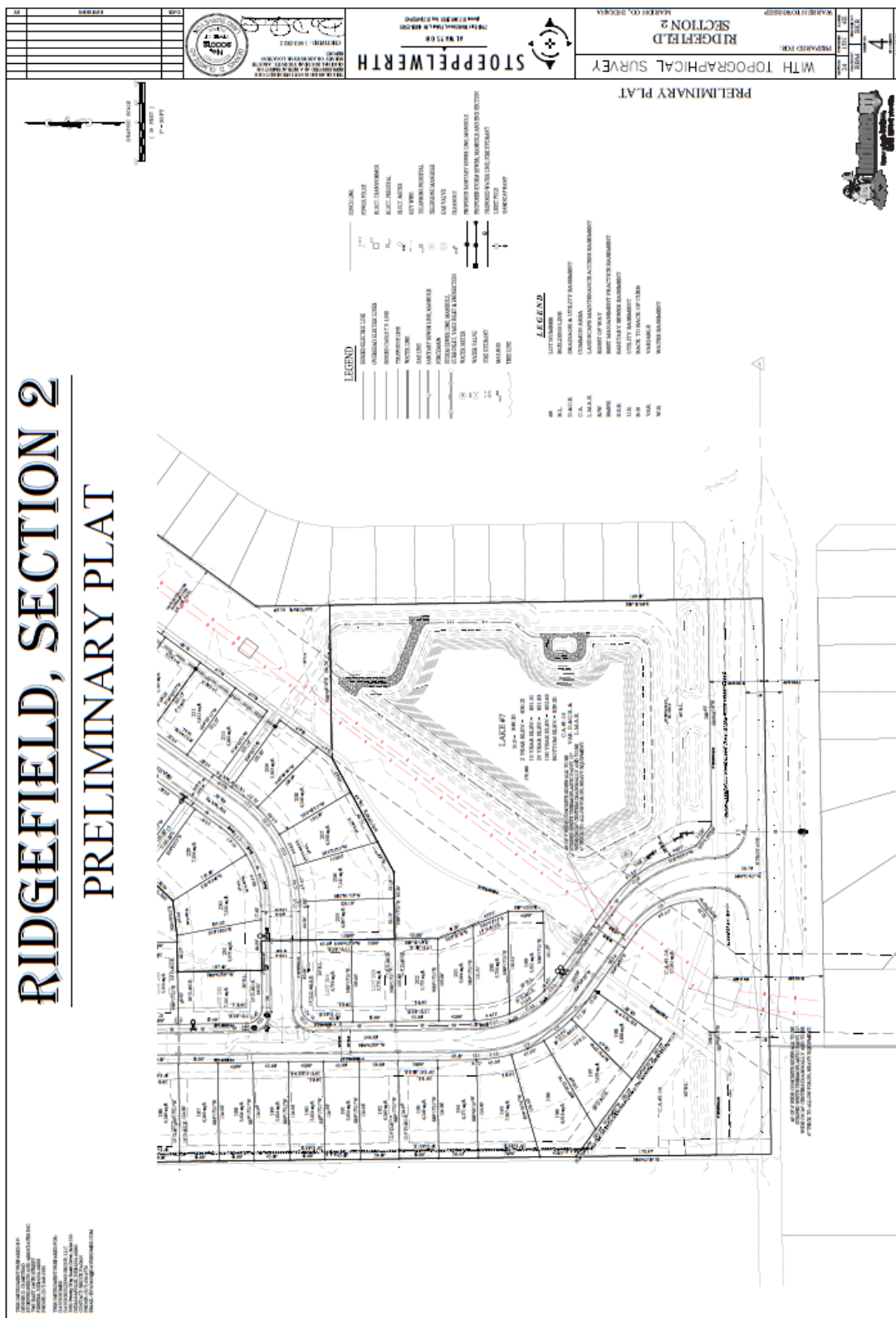
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RIDGEFIELD, SECTION 2

PRELIMINARY PLAT







PHOTOS



1. Subject site looking northeast from Troy Avenue



2. Looking east along Troy Avenue - subject site to left



3. Subject site looking south from Sebastian Place in Section Two



4. Stub of Sebastian Place looking west
Photos courtesy of Linda Ahlbrand



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-067
Property Address: 2525 and 2529 Guilford Avenue (*Approximate Address*)
Location: Center Township, Council District # 17
Petitioner: Arcadia 1 Development LLC, by Jynell D. Berkshire
Zoning: D-8
Request: Approval of a Subdivision Plat, to be known as Guilford Homes Addition, dividing 0.12-acre into two lots, and Approval of a Subdivision Plat, to be known as Guilford Homes 2 Addition, dividing 0.12-acre into two lots.
Waiver Requested: None
Current Land Use: Undeveloped
Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated August 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.



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Current Planning**

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

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site consists of two undeveloped lots in the D-8 district. This proposal would subdivide each existing lot into two lots for a row house development, Guilford Homes Addition, lots one and two; and Guilford Homes 2 Addition, lots one and two. Each proposed plat would contain a two-unit row house. Each lot would contain at least 2,560 square feet and would be 18.29 feet wide. The proposed plat generally meets the standards of the D-8 zoning classification and the row house residential typology.

STREETS

Guilford Homes Addition Lots One and Two and Guilford Homes 2 Addition Lots One and Two would front on Guilford Avenue. All lots are accessible from the alley to the east as well. No new streets are proposed.

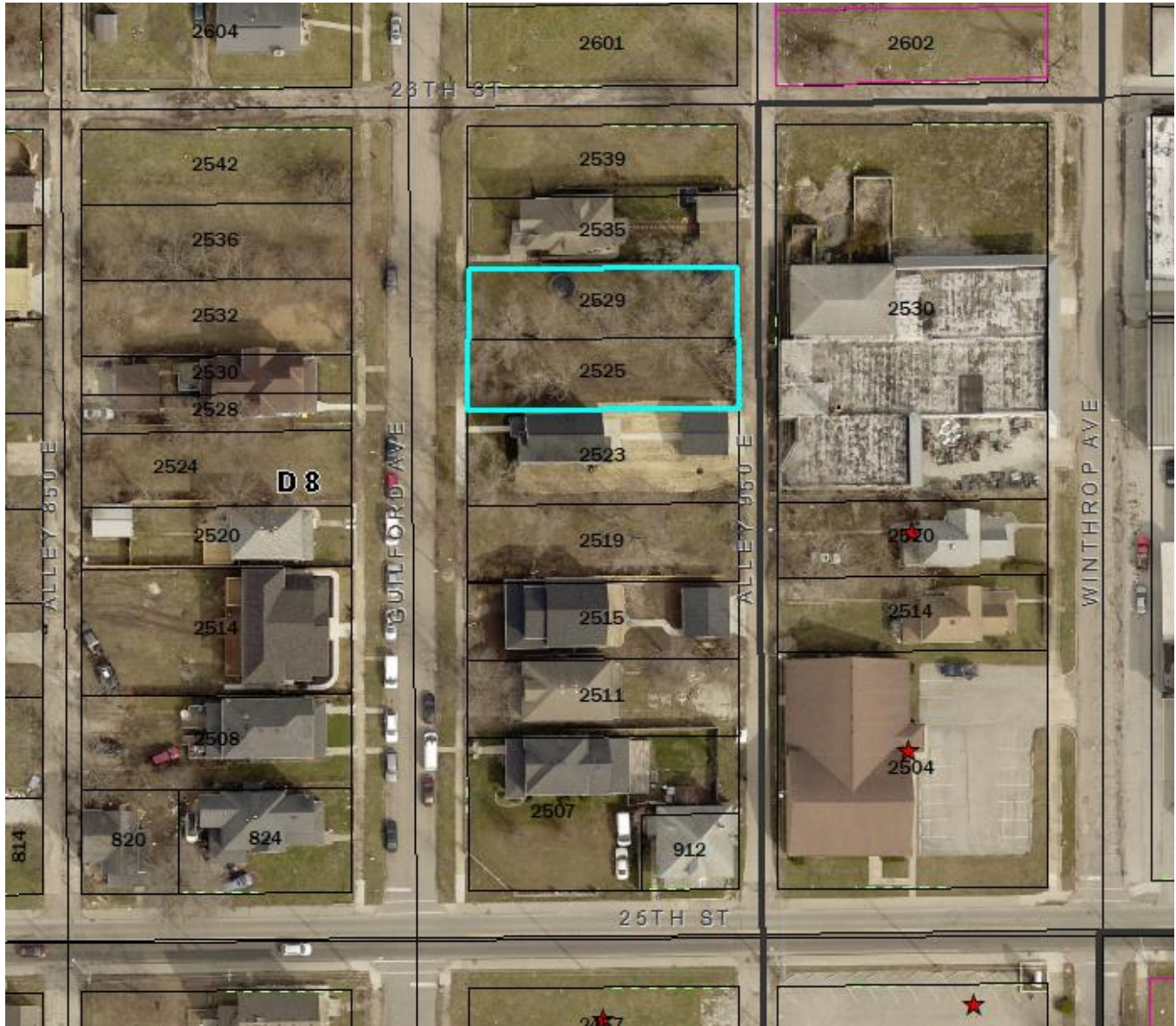
SIDEWALKS

Sidewalks are existing in the right-of-way on Guilford Avenue.

GENERAL INFORMATION

Existing Zoning	D-8	
Existing Land Use	Undeveloped	
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:	I-2	Industrial
West:	D-8	Two-family residential
Thoroughfare Plan		
Guilford Avenue	Local Street	60-feet existing and proposed
Petition Submittal Date	August 31, 2022	

EXHIBITS



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Department of Metropolitan Development
Division of Planning
Current Planning

PURPOSE STATEMENT

2525 Guilford Avenue, Indianapolis, IN 46225:

The purpose of this Minor Plat Application as to this parcel is approval of a Subdivision Plat to be known as Guilford Homes Addition, A Replat of Lot 6 in Nordyke and Hollowell's Grandview Addition, dividing 0.12 acre into two single-family attached lots. The subject site is zoned D-8. Current land use is undeveloped.

This proposed plat would divide the existing parcel into two lots. Lots One and Two would each contain half of a proposed construction of a two-family dwelling with the lot line following the common wall. 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.

Lots One and Two would front on Guilford Avenue. Vehicular access would be provided via alley access on the rear. No new streets are proposed for the development.

The proposed new construction will 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.

2529 Guilford Avenue, Indianapolis, IN 46225:

The purpose of this Minor Plat Application as to this parcel is approval of a Subdivision Plat to be known as Guilford Homes 2 Addition, A Replat of Parts of Lot 6 and 7 in Nordyke and Hollowell's Grandview Addition, dividing 0.12 acre into two single-family attached lots. The subject site is zoned D-8. Current land use is undeveloped.

This proposed plat would divide the existing parcel into two lots. Lots One and Two would each contain half of a proposed construction of a two-family dwelling with the lot line following the common wall. 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.

Lots One and Two would front on Guilford Avenue. Vehicular access would be provided via alley access on the rear. No new streets are proposed for the development.

The proposed new construction will 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.

Metropolitan Development
Aug 31 2022
Division of Planning

Photos



Subject site viewed from Guilford Avenue



Subject site viewed from alley



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-071

Property Address: 1399 North Shadeland Avenue and 7007 East 14th Street (Approximate Address)

Location: Warren Township, Council District #19

Petitioner: Jaybob Inc./ Jayne McLain, by Don Fisher

Zoning: D-3, C-1, and C-3

Request: Approval of a Subdivision Plat, to be known as Replat of Lots 4, 5, and 6 of Warren Terrace Addition, dividing 2.053 acres into three lots.

Waiver Requested: None

Current Land Use: Commercial

Staff Reviewer: Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 6, 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.
12. That sidewalks must be installed along East 14th Street.

PETITION OVERVIEW

SITE PLAN AND DESIGN

This site is zoned D-3, C-1, and C-3 and developed with a restaurant and associated parking, and a single-family dwelling. The proposed plat would subdivide the property into three lots. The proposed lots would align with the zoning district boundaries. Part of the subject properties were rezoned to C-1 and C-3 in 2015 (2015-CZN-836A & B). Lot Four would contain the portion of the site zoned C-3 and developed with a restaurant and parking. Lot Five would contain the portion of the site zoned C-1 and developed with a residential building. Lot Six would contain the portion of the site zoned D-3, which is undeveloped, but contains a part of a retention pond.

STREETS

All proposed lots would front on East 14th Street to the north. Lot Four also has existing frontage on Shadeland Avenue. No new streets are proposed as part of this petition.

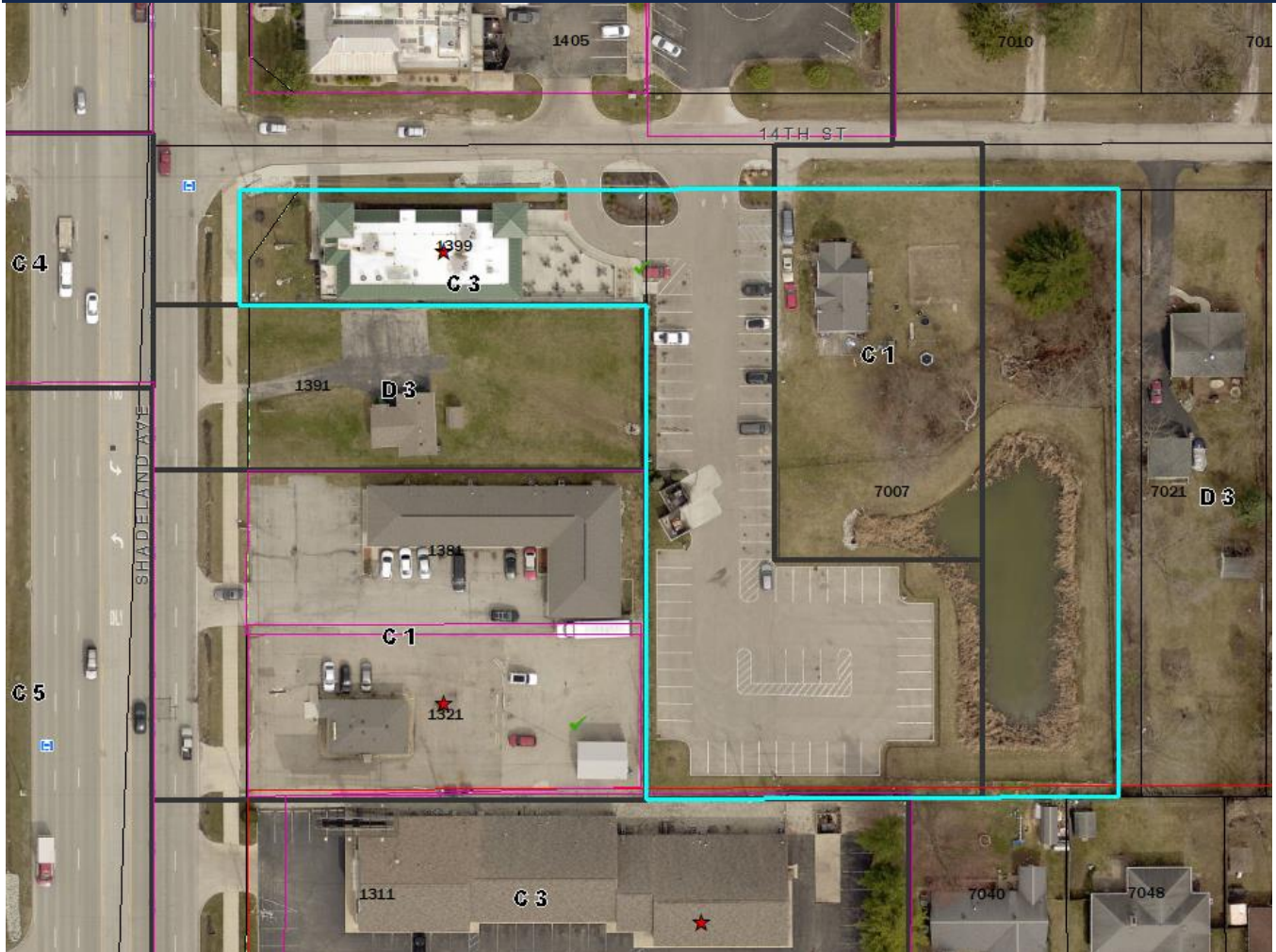
SIDEWALKS

Sidewalks are existing along Shadeland Avenue and East 14th Street. The sidewalk on East 14th Street must be extended to the frontages for Lots Five and Six.

GENERAL INFORMATION

Existing Zoning	D-3, C-1, and C-3	
Existing Land Use	Commercial and Residential	
Comprehensive Plan	Community Commercial / Suburban Neighborhood	
Surrounding Context	Zoning	Land Use
North:	C-3 / D-3	Commercial / Residential
South:	C-3 / D-3	Commercial / Residential
East:	D-3	Residential
West:	C-1 / C-4 / C5 / D-3	Commercial / Residential
Thoroughfare Plan		
Shadeland Avenue	Primary Arterial	135-feet existing and proposed
East 14 th Street	Local Street	48-feet existing and proposed
Petition Submittal Date	September 13, 2022	

EXHIBITS



PRELIMINARY REPLAT

OF

LOTS 4 5 & 6

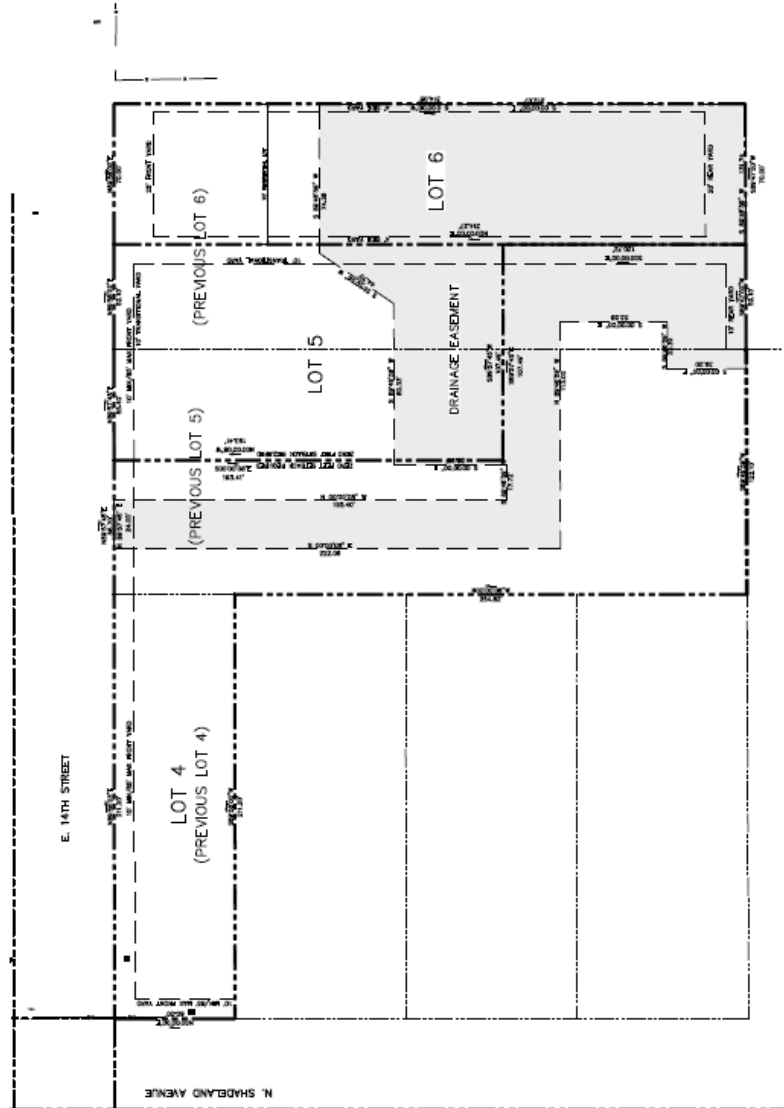
WARREN TERRACE ADDITION

PLAT BOOK 22, PAGE 28

OWNER/SUBDIVIDER
SOURCE OF TITLE:
JAYBOB, LLC

SURVEYOR:
THIS INSTRUMENT PREPARED BY:
STEPHEN D. SERVICES
OF

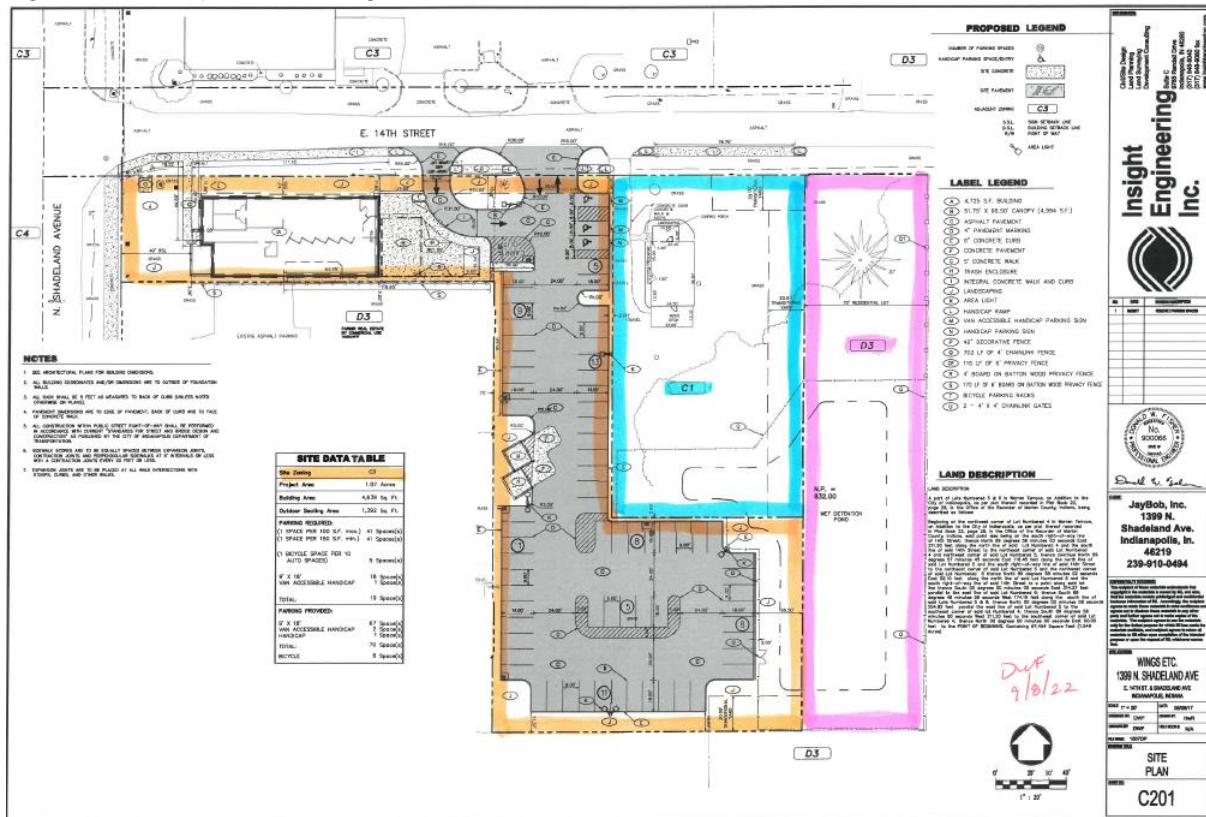
SERVICES
ENGINEERING & SURVEYING, LLC
725 NORTHSIDE BLVD
ANDERSON, INDIANA 46011
(765) 426-4944
serviced@comcast.net
Date: 05/02/2022
1507



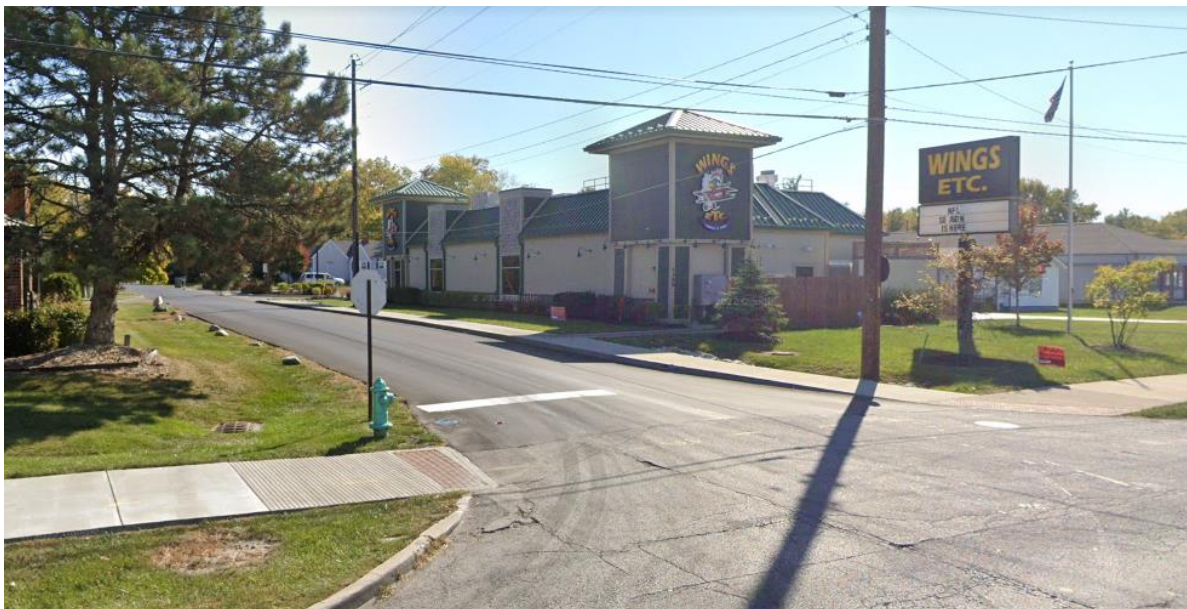
DATE 1 OF 2

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

Existing Site Development/Zoning



Photos



Proposed Lot Four viewed from the intersection of Shadeland Avenue and East 14th Street



Proposed Lots Five and Six viewed from East 14th Street



Proposed Lot Four existing parking. Proposed Lot Five shown left. Proposed Lot Six shown right.



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number:	2022-PLT-072
Property Address:	610 West 40 th Street (<i>Approximate Address</i>)
Location:	Washington Township, Council District # 7
Petitioner:	Rami Daas, Daas Organization LLC, by Jordan Gleason
Zoning:	D-5
Request:	Approval of a Subdivision Plat, to be known as Daas Replat of Lot 221 in Culver, Riggs, and Lynn's Subdivision, dividing 0.12-acre into two lots.
Waiver Requested:	None
Current Land Use:	Two Single-Family Dwellings
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 September 15, 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

The subject site is zoned D-5 and developed with two single-family dwellings on a 0.12-acre parcel. Staff research confirms that there have been two structures on this lot since at least 1915 as shown on the historic Sanborn maps.

This proposed plat would divide the existing parcel into two lots so that each dwelling would be located on a separate lot. This replat would allow the property owner to sell each of the buildings individually, rather than as one parcel, with minimal impact on the surrounding property owners.

STREETS

Lots One and Two would front on 40th Street. Lot Two would be a corner lot and front on Byram Avenue as well. Lot One is accessible from the alley to the west. No new streets are proposed.

SIDEWALKS

Sidewalks are existing in the right-of-way on 40th Street and Byram Avenue.

GENERAL INFORMATION

Existing Zoning	D-5	
Existing Land Use	Single-family dwellings	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-5	Single-Family residential
South:	D-5	Single-Family residential
East:	D-5	Single-Family residential
West:	D-5	Single-Family residential
Thoroughfare Plan		
Byram Avenue	Local Street	71-feet existing and proposed
West 40 th Street	Local Street	50-foot existing and proposed
Petition Submittal Date	September 15, 2022	

EXHIBITS





[illegible]

Photos



Subject site viewed from Byram Avenue



Subject site viewed from 40th Street



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number:	2022-PLT-073
Property Address:	25 North Highland Avenue (<i>Approximate Address</i>)
Location:	Center Township, Council District #17
Petitioner:	N Highland Indy LLC, by Mark and Kim Crouch
Zoning:	D-8
Request:	Approval of a Subdivision Plat, to be known as Mendoza's Highland Avenue Townhomes, dividing 0.11-acre into two single-family attached lots.
Waiver Requested:	None
Current Land Use:	Two-Family Dwelling
Staff Reviewer:	Allison Richardson, Senior Planner

PETITION HISTORY

This is the first hearing for this plat petition.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated September 22, 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.
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 1898 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

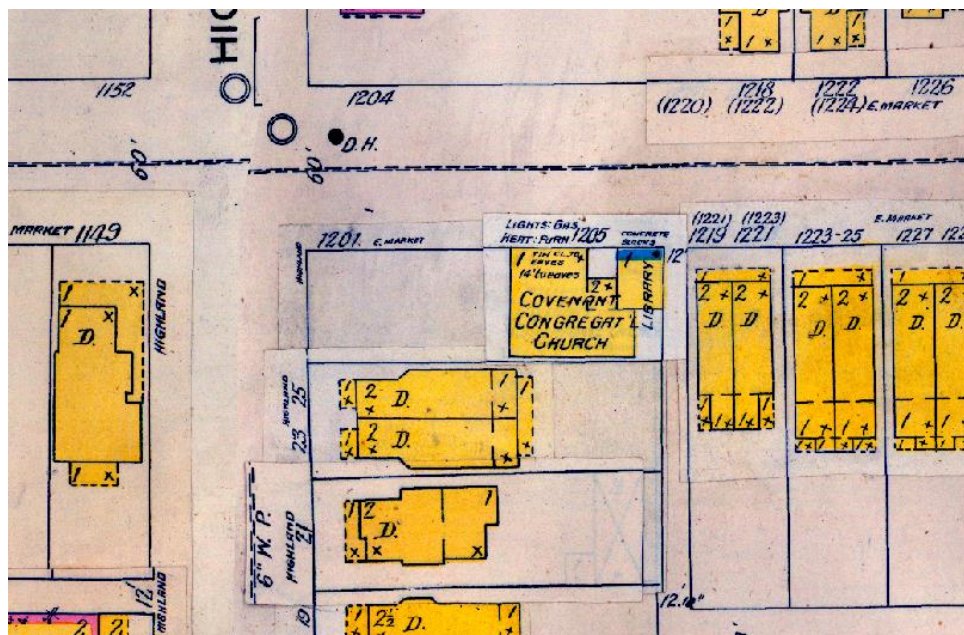
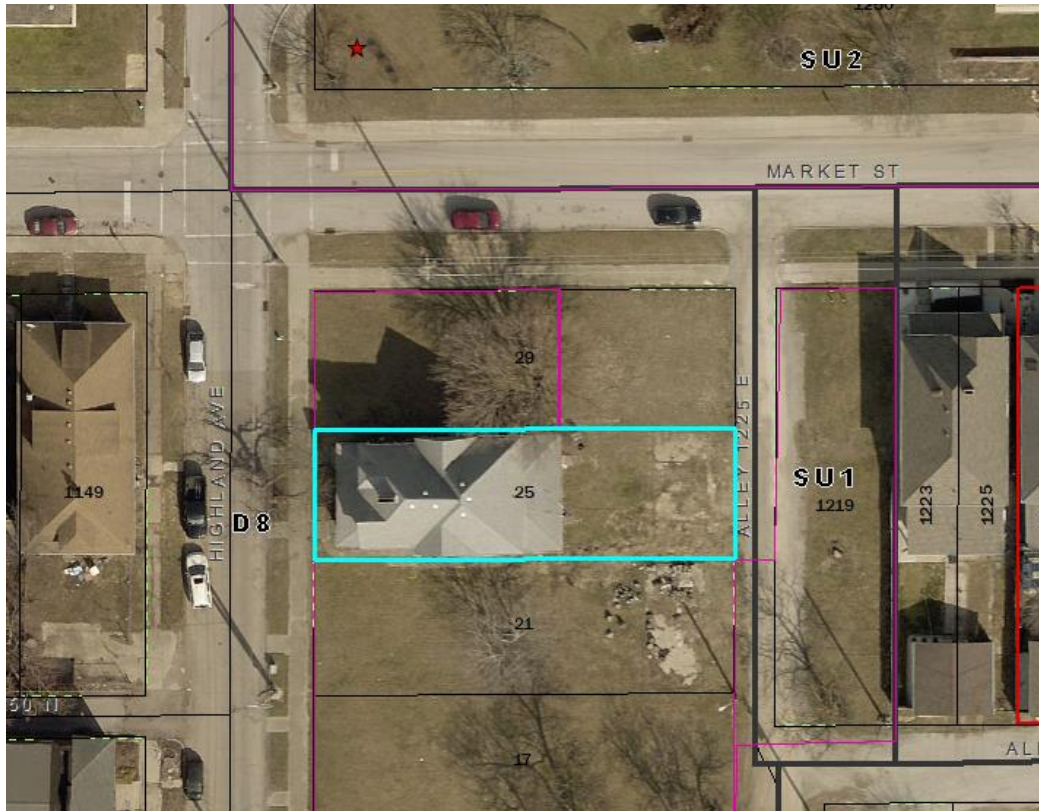
Lots One and Two would front on Highland Avenue, with alley access on the rear. No new streets are proposed.

PROCEDURE

This plat petition, if approved, only legally establishes the division of land. In the event that the existing duplex were to be removed, any new construction that does not conform to the site plan approved by variance would be required to meet all development standards of the D-8 Dwelling District, including, but not limited to, setbacks, minimum lot width and frontage, and minimum open space.

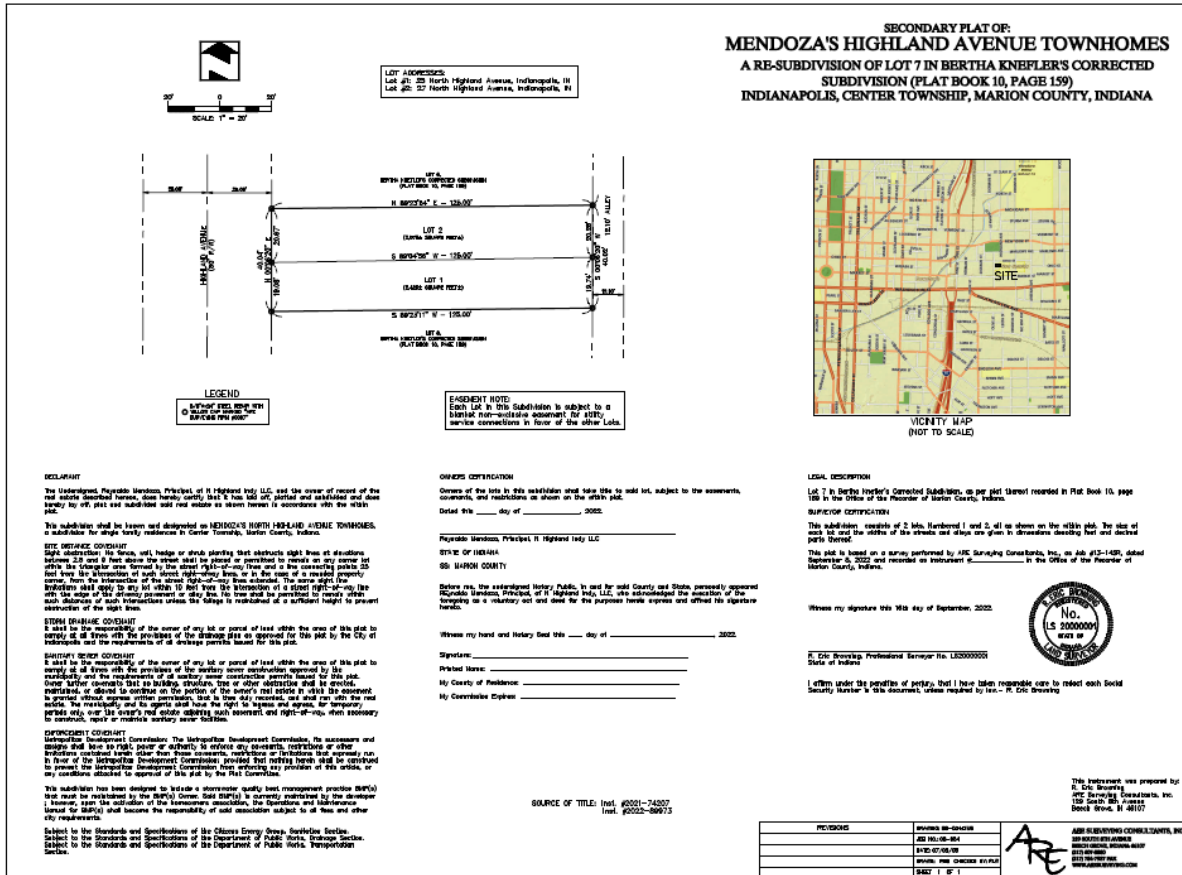
GENERAL INFORMATION

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	Undeveloped
South:	D-8	Undeveloped
East:	SU-1	Undeveloped
West:	D-8	Single-Family residential
Thoroughfare Plan		
Highland Avenue	Local Street	50-foot existing and proposed
Petition Submittal Date	September 19, 2022	

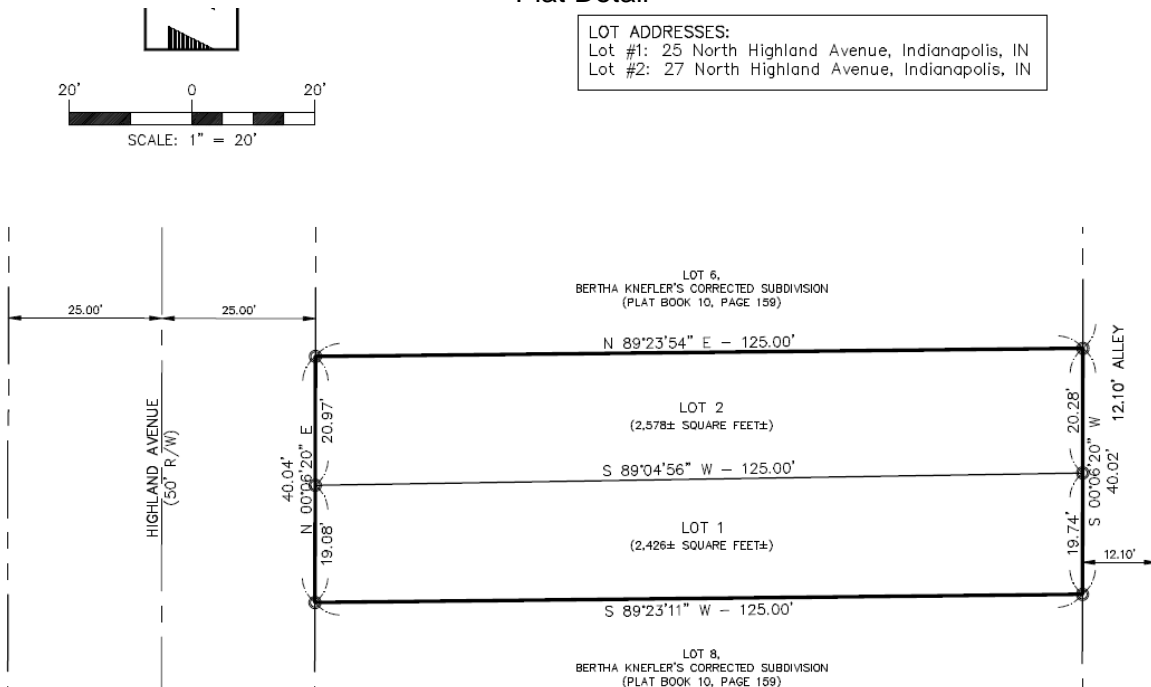


Sanborn Map 1898

SECONDARY PLAT OF:
MENDOZA'S HIGHLAND AVENUE TOWNHOMES
 A RE-SUBDIVISION OF LOT 7 IN BERTHA KNEFLER'S CORRECTED
 SUBDIVISION (PLAT BOOK 10, PAGE 159)
 INDIANAPOLIS, CENTER TOWNSHIP, MARION COUNTY, INDIANA



Plat Detail



PHOTOS



Subject site viewed from the intersection of Highland Avenue and Market Street



Subject site viewed from the intersection of Market Street and the alley



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-075
 Property Address: 8511 Madison Avenue (Approximate Address)
 Location: Perry Township, Council District #23
 Petitioner: Southplex Centre LLC, by Andrew Barkocy
 Zoning: C-3
 Request: Approval of a Subdivision Plat to be known as Southplex Commercial Subdivision, dividing 5.28 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 September 30, 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

This site is zoned C-3 and developed with two commercial tenant buildings and associated parking. The proposed plat would subdivide the property into two lots, with one building per lot. Lot one would be 1.02 acres and lot two would be 4.26 acres. The proposed plat meets the standards of the C-3 zoning classification.

STREETS

Lot One and Two would front on both Madison Avenue and Sear Terrace, and be accessed by existing driveway curb cuts. No new streets are proposed as part of this petition.

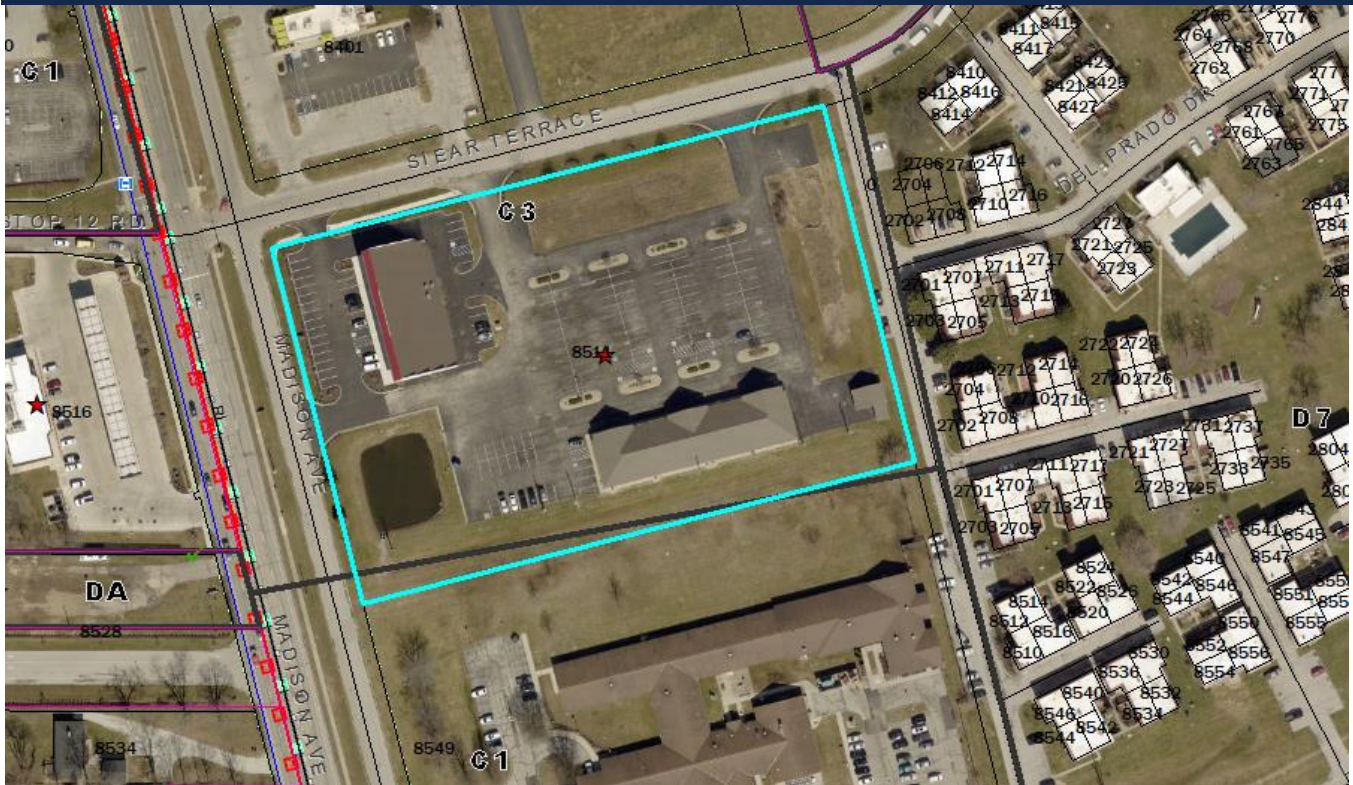
SIDEWALKS

Sidewalks are required along Madison Avenue and Sear Terrace where they are not existing.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	C-3	Commercial
South:	C-1	Commercial
East:	D-7	Residential
West:	C-3	Commercial
Thoroughfare Plan		
Madison Avenue	Secondary Arterial / Local Street	114-feet existing and proposed
Sear Terrace	Local Street	70-foot existing and proposed
Petition Submittal Date	September 30, 2022	

EXHIBITS







PHOTOS



Subject Site, proposed lot two. Viewed from the intersection of Madison Avenue and Sear Terrace



Lots One and Two Madison Avenue frontage



Lot One, Sear Terrace frontage



Department of Metropolitan Development
Division of Planning
Current Planning

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-076
 Property Address: 8615, 8649, 8701, and 8707 Shelby Street (Approximate Address)
 Location: Perry Township, Council District #23
 Petitioner: Shelby Street Property LLC, by Anthony B. Syers
 Zoning: HD-2 (FF) (FW)
 Request: Approval of a Subdivision Plat to be known as Shelby Street Property Subdivision, dividing 18.559 acres into two lots.
 Waiver Requested: None
 Current Land Use: Undeveloped
 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 September 30, 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

This site is zoned HD-2 and is undeveloped. The proposed plat would subdivide the property into two lots: Lot one would be 9.611 acres and lot two would be 8.948 acres. This plat petition would approve only the division of land. Any site development would be subject to approval by the Metropolitan Development Commission.

STREETS

Lot One and Two would front on both Shelby Street. No new streets are proposed as part of this petition.

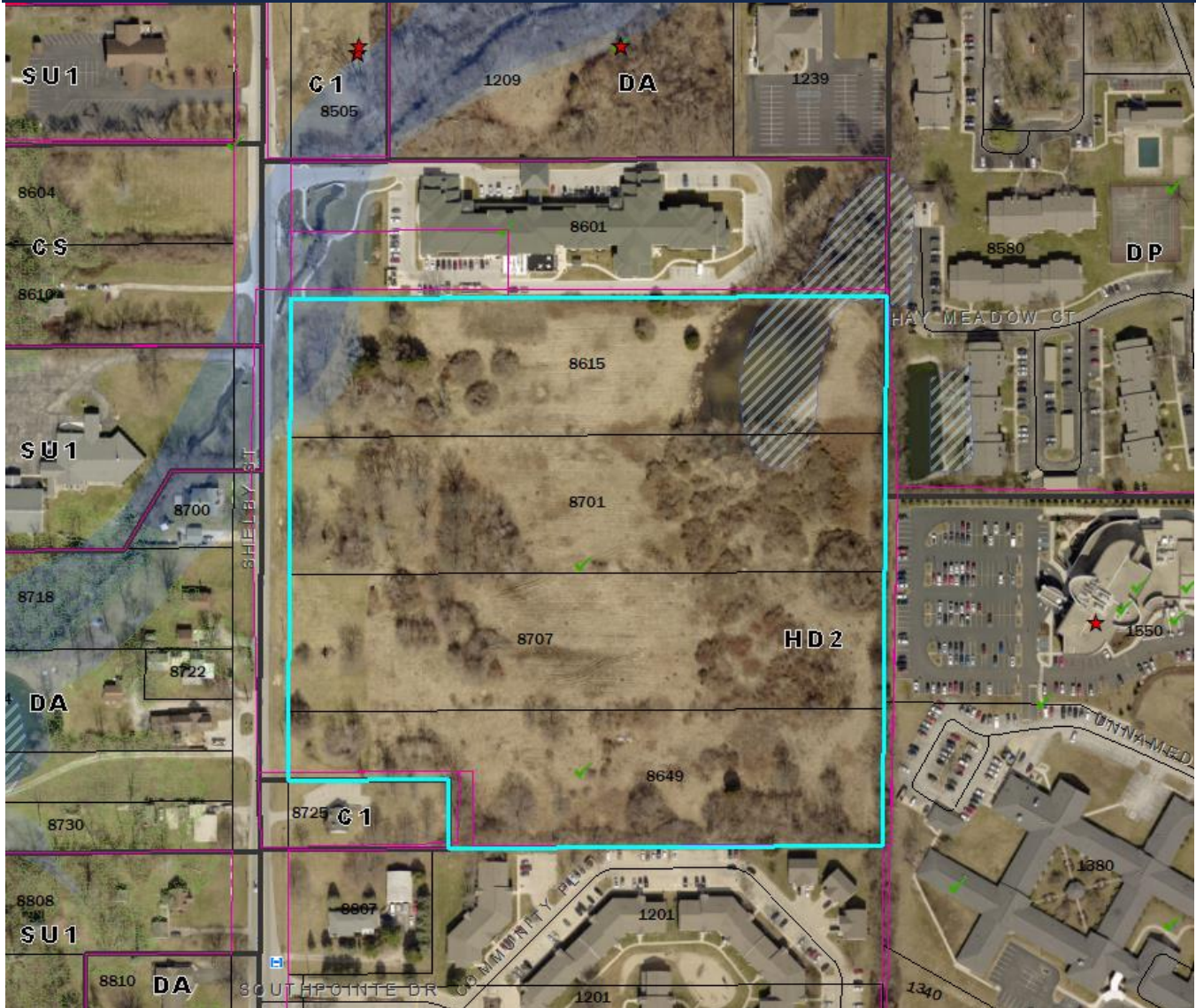
SIDEWALKS

Sidewalks are required along the Shelby Street frontage

GENERAL INFORMATION

Existing Zoning	HD-2	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	HD-2	Assisted Living Residential
South:	C-1 / HD-2	Multi-family residential / Assisted Living
East:	D-P / HD-2	Residential / Medical Offices
West:	D-A / SU-1	Residential / Religious Use
Thoroughfare Plan		
Shelby Street	Primary Collector	90-feet existing and proposed
Petition Submittal Date	September 30, 2022	

EXHIBITS





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



PHOTOS



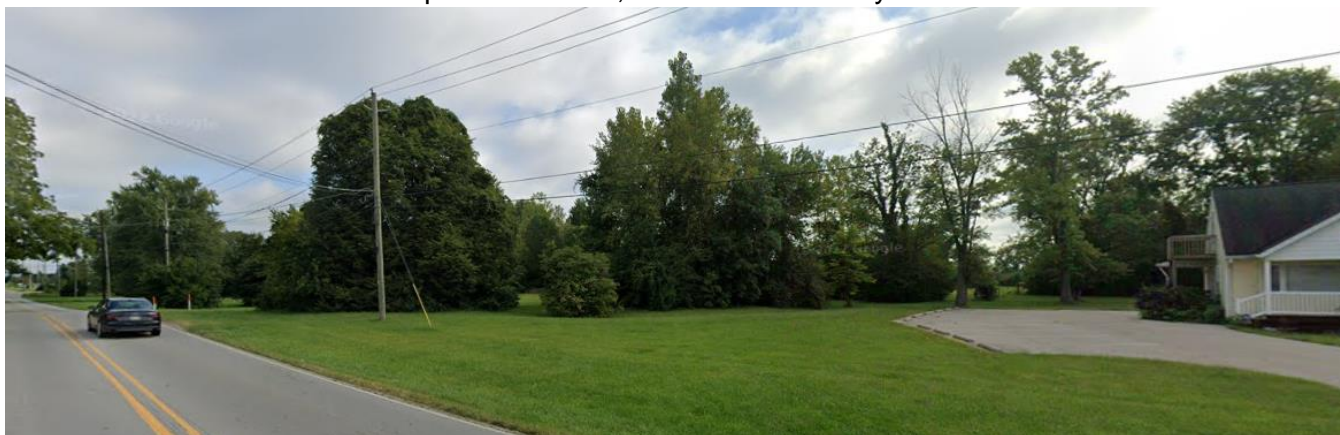
Proposed Lot One, viewed from development north of site, facing south



Proposed Lot One, development north of site shown left



Proposed Lot Two, viewed from Shelby Street



Proposed Lot Two, south of site shown right



Proposed Lot Two shown right, west of site shown left.

PLAT COMMITTEE

November 9, 2022

Case Number:	2022-PLT-077
Property Address:	9330 East 56 th Street (<i>Approximate Address</i>)
Location:	Lawrence Township, Council District #4
Petitioner:	Anthony Syers
Zoning:	D-P
Request:	Approval of a Subdivision Plat, to be known as Replat of Otis Place, dividing 2.709 acres into one block.
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 September 30, 2022, complies with the standards of the Subdivision regulations, subject to the following conditions:

1. Subject to the Standards and Specifications of the 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.

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. That Block 'L' be renamed to Block 'B'.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The site is zoned D-P. This site was part of a plat petition in 2021, through 2021-PLT-079, which platted four lots and one block from 5.123 acres. The overall site was part of an Approval petition, also in 2021, 2021-CAP-836, which provided for a Modification of Development Statement for 2007-ZON-046 to modify certain design elements of any future building on the site, including allowing a flat roof without a cornice line or parapet wall.

The proposed plat would subdivide roughly the eastern half of the overall site, or 2.709 acres into one block. The existing site is an undeveloped lot within Fort Harrison. The western half of the overall site is developed with a public library.

STREETS

This property has street frontage to the north, east and south. Specifically, the block would have frontage along Otis Avenue to the north, Lee Road to the east, and 56th Street to the south. No new public streets are proposed as part of this petition.

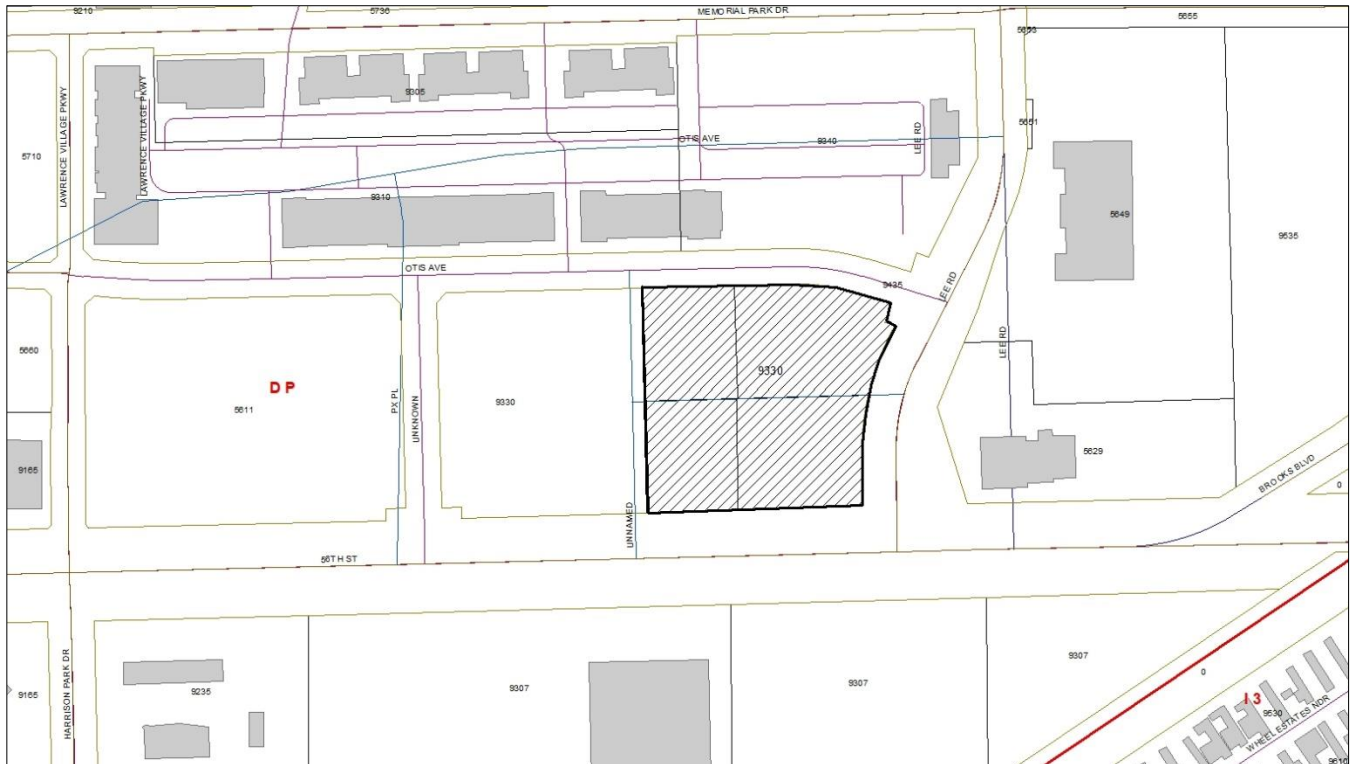
SIDEWALKS

Sidewalks are existing on all street frontages.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Undeveloped	
Comprehensive Plan	Village Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: D-P	Multi-Family Residential
	South: D-P	Commercial
	East: D-P	Commercial
	West: D-P	Public Library
Thoroughfare Plan		
56 th Street	Primary Arterial	63-foot existing and proposed
Otis Avenue	Local Street	49-feet existing and proposed
Lee Road	Primary Collector	57-feet existing and proposed
Melner Road (to the west)	Private Street	54-feet existing
Petition Submittal Date	September 30, 2022	

EXHIBITS



10" WIDE SANITARY SEWER EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
1	S 73°02'35" E	17.66'
2	S 73°02'35" E	11.66'
3	S 73°02'35" E	22.86'
4	S 13°04'44" E	16.02'
5	N 13°04'44" W	55.63'

CURVE #	RADIUS	DELTA	LENGTH	CHL	CHB
C1	380.00'	178.705°	13.44'	13.44'	0.2050101"
C2	380.00'	278.807°	17.08'	17.08'	0.3248187"
C3	360.00'	220.0374°	15.213'	15.213'	0.1023204"



Civil & Environmental Consultants, Inc.
600 E. Ohio Street - Suite G - Indianapolis, IN 46204

**RE-PLAT OF OTIS PLACE
56TH STREET AND LEE ROAD
INDIANAPOLIS, INDIANA**

PLAT

PRELIMINARY PLAT

DATE: 8-20-18 NAME: J. L. JONES, JR. COUNTY: DEWITT

DEED: 1-1007

DEED: 1-1007

PHOTOS



Views from Otis Avenue

Department of Metropolitan Development
Division of Planning
Current Planning



Views of the site from Otis Avenue



Views of the site from the intersection of Otis Avenue and Lee Road



View of eastern edge of site looking south toward intersection of 56th Street and Lee Road



Views of site from Lee Road and 56th Street

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-078
Property Address: 2401 North College Avenue (Approximate Address)
Location: Center Township, Council District #17
Petitioner: M/E Rental LLC, by David Gilman
Zoning: C-3
Request: Approval of a Subdivision Plat to be known as Ronald's Addition, dividing 0.47-acre into two lots.
Waiver Requested: None
Current Land Use: Commercial
Staff Reviewer: Jeffrey York, 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 September 30, 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.

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

The subject site is zoned C-3 and is developed with a commercial integrated center. The buildings are in poor condition. The proposed plat would subdivide the property into two lots—Lots One and Two. The proposed plat generally meets the standards of the C-3 zoning classification.

STREETS

Lot One would have frontage on both College Avenue to the west and 24th Street to the south. Lot Two would have frontage on 24th Street. No new streets are proposed as part of this petition.

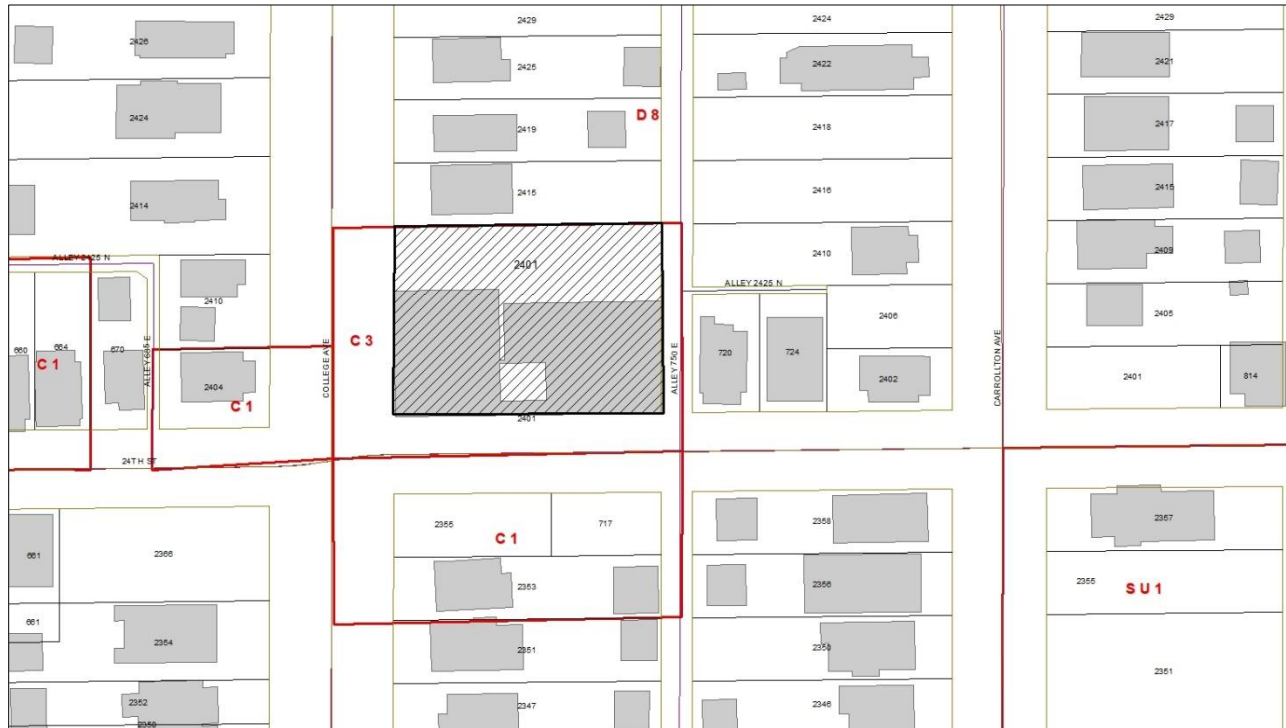
SIDEWALKS

Sidewalks are existing on College Avenue and 24th Street.

GENERAL INFORMATION

Existing Zoning	C-3	
Existing Land Use	Commercial	
Comprehensive Plan	Traditional Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-8	Residential
South:	D-8	Residential
East:	D-8	Residential
West:	C-1 / D-8	Residential
Thoroughfare Plan		
College Avenue	Primary Arterial	78-foot right-of-way existing and proposed
East 24 th Street	Primary Arterial	48-foot right-of-way existing and proposed
Petition Submittal Date	September 30, 2022	

EXHIBITS



75

PHOTOS



Views of site at College Avenue intersection and along 24th Street



Views of site along 24th Street



Views of site along College Avenue

PLAT COMMITTEE

November 9, 2022

Case Number: 2022-VAC-006
Property Address: 3320 Lindbergh Drive (*Approximate Address*)
Location: Perry Township, Council District #24
Petitioner: Samuel Smedley
Zoning: D-2
Request: Vacation of a utility easement, being eight feet wide, from a point four feet north of the southeast corner of Lot 46 of Lindbergh Highlands 93.05 feet to a point four feet north of the southwest corner of Lot 45 of said subdivision.
Waiver Requested: Assessment of Benefits
Current Land Use: Single-family dwelling
Staff Reviewer: Allison Richardson, 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 waived; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2022-VAC-006; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

PETITION OVERVIEW

SUMMARY

The subject site is a single parcel made up of four platted lots (Lots 45, 46, 47, and 48 of Lindbergh Highlands) and part of the vacated Redfern Drive. The underlying plat includes an eight-foot wide utility easement as shown on the survey below. A one-story single-family dwelling with an attached garage was constructed over this easement in 1956.

Staff has confirmed that no sanitary sewer, water lines or storm drainage infrastructure exists within the easement. There was no evidence of any other utilities within the easement. Since the platted lots have been combined into one parcel and the easement is not being utilized, the vacation would be appropriate.

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

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 of 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.

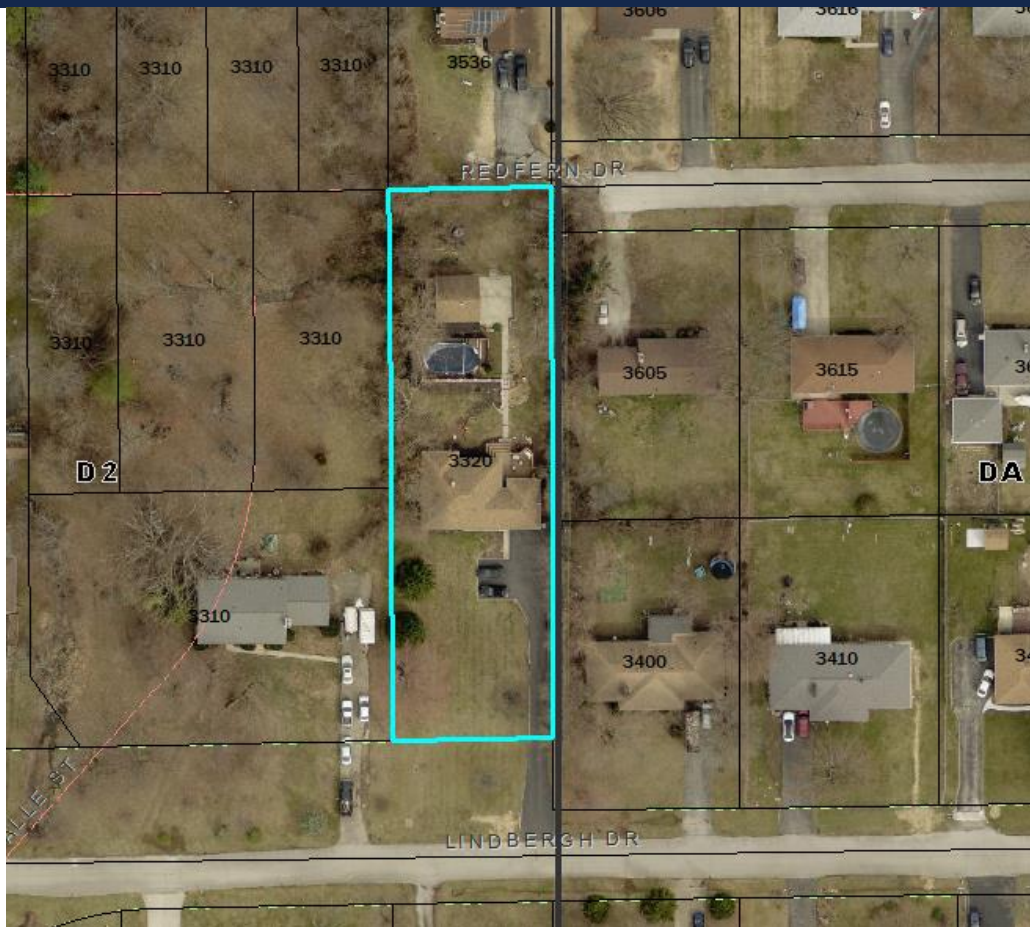
ASSESSMENT OF BENEFITS

The petitioner has requested a waiver of the Assessment of Benefits. The subject easement is a utility easement and has not been improved or maintained by the City of Indianapolis. Therefore, a waiver of the Assessment of Benefits would be appropriate.

GENERAL INFORMATION

Existing Zoning	D-2	
Existing Land Use	Single-family residential	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-2	Single-family residential
South:	D-2	Single-family residential
East:	D-A	Single-family residential
West:	D-2	Single-family residential
Thoroughfare Plan		
Lindbergh Drive	Local Street	90-foot existing and proposed
Petition Submittal Date	September 23, 2022	

EXHIBITS



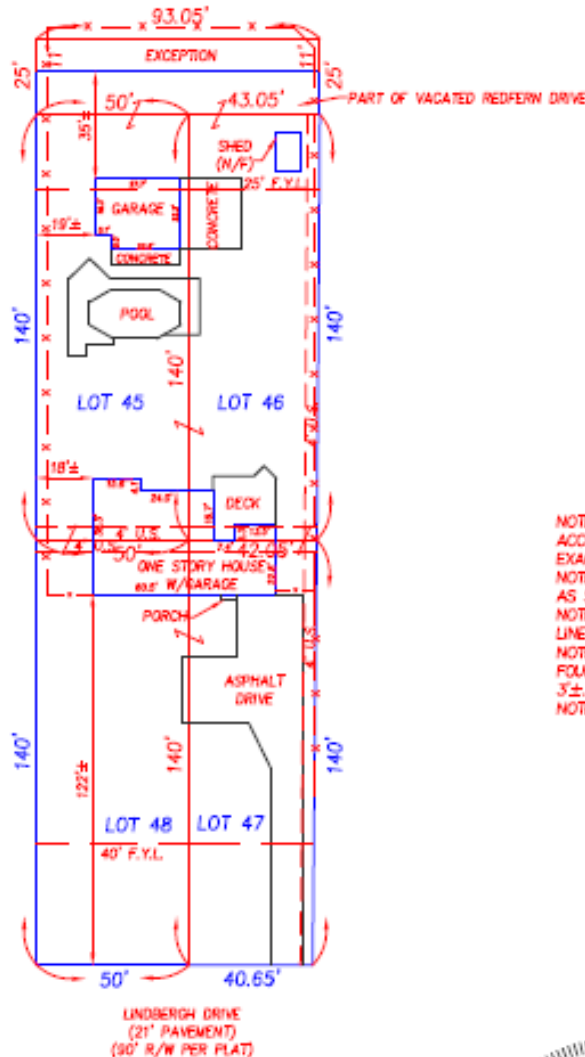
Aerial Map



Lindbergh Highlands Plat 1927

SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-1-12 for a SURVEYOR LOCATION REPORT. Unless otherwise noted there is no visible evidence of possession lines found.



SCALE: 1"=50'

LEGEND

R/W	RIGHT-OF-WAY
— x —	FENCE±
F.Y.L.	FRONT YARD LINE
N/F	NO FOUNDATION
U.S.	UTILITY STRIP

NOTE: FENCE LOCATIONS SHOWN ARE APPROXIMATE. AN ACCURATE BOUNDARY SURVEY IS REQUIRED TO DETERMINE EXACT LOCATIONS.
NOTE: IMPROVEMENTS LIE WITHIN PLATTED UTILITY STRIPS AS SHOWN.
NOTE: GARAGE AND SHED LIE PAST PLATTED FRONT YARD LINE AS SHOWN.
NOTE: DUE TO THE LACK OF QUALIFIED MONUMENTATION FOUND, THE ACCURACY OF THIS REPORT IS LIMITED TO 3'±.
NOTE: FENCE 15'± PAST NORTH LINE AS SHOWN.



HAHN SURVEYING GROUP, INC.

Land Surveyors
8925 N. Meridian Street, Suite 120
Indianapolis, IN 46260
PHONE: (317) 846-0840 / (317) 846-4119
FAX: (317) 846-4298 / (317) 582-0662
EMAIL: orders@hahnsurveying.com
www.hahnsurveying.com



CERTIFIED: 04/14/2022

Chad L. Brown
Registered Land Surveyor,
Indiana #21100002
Drawn By: JEC
Job No.: S22-9803
Sheet 2 of 3

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

**METROPOLITAN DEVELOPMENT COMMISSION
PLAT COMMITTEE
HEARING EXAMINER
OF MARION COUNTY, INDIANA**

PETITION FOR VACATION OF A PLATTED SUBDIVISION

FINDINGS OF FACT

1. THE CONDITIONS IN THE PLATTED AREA HAVE CHANGED SO AS TO DEFEAT THE ORIGINAL PURPOSE OF THE PLAT because:

The house built in 1956 was constructed on the combination of 4 lots (45, 46, 47, 48) over original property line utility easements.

2. IT IS IN THE PUBLIC INTEREST TO VACATE ALL OR PART OF THE PLAT because:

The request will only affect lots 45, 46, 47, and 48 of Lindbergh Highlands. The existing house built on the combination of lots 45, 46, 47, and 48 has been in place over the originally platted property line utility easements since 1956 without issue.

3. THE VALUE OF THAT PART OF THE LAND IN THE PLAT NOT OWNED BY THE PETITIONER WILL NOT BE DIMINISHED BY VACATION because:

The property is being used as a residential dwelling in accordance with the original planned use of the plat and the surrounding properties. The use of the property is not being altered and the current situation has been in place since 1956.

Photos



Subject site viewed from Lindbergh Drive. Existing house was built over the platted easement.



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PLAT COMMITTEE

November 9, 2022

Case Number: 2022-PLT-048 (Amended)
Property Address: 7320 East Hanna Avenue (Approximate Address)
Location: Franklin Township, Council District #18
Petitioner: M/I Homes of Indiana LP, by Michael Reeve
Zoning: D-3
Request: Approval of a Subdivision Plat, to be known as Grayson, dividing 78.74 acres into 178 lots, with a waiver of the requirement to connect to an existing public street to the north.
Waiver Requested: Street Connection
Current Land Use: Undeveloped
Staff Reviewer: Linda Ahlbrand, Principal Planner II

PETITION HISTORY

This petition was continued from September 14, 2022 to October 12, 2022 to allow time for the petitioner to redesign the layout of the subdivision. It was continued from October 12, 2022, after a full hearing, at the request of the petitioner.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 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.



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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.
12. That the waiver request to have no street connection be denied and Nollan Drive be widened to meet public street construction standards.
13. That rezoning petition 2022-CZN-830 be approved by the City-County Council.

PETITION OVERVIEW

HISTORY

This plat was originally submitted with a waiver request to have a street block length longer than what it permitted. The overall design of the subdivision has been revised to remove the need for that particular waiver. A different waiver for street connection is now being requested with the revised proposal.

SITE PLAN AND DESIGN

This request would provide for the subdivision of 78.74 acres into 178 lots, to be known as Grayson. The subject site was rezoned to the D-3 classification in 2021 (2021-ZON-075). Furthermore, a variance was granted (2021-VAR-012) to provide for reduced lot sizes and widths. Additional petitions to include a five-acre parcel (2022-CZN/CVR/CAP-830), originally excluded from the 2021 petition, is currently pending before the Metropolitan Development Commission. The lots of the proposed plat would be consistent with the approved/pending rezoning commitments, the approved/pending variances, the D-3 District and the Subdivision Regulations.

STREETS

This subdivision would gain access to Hanna Avenue to the south and Fisher Road to the east with two new access points. All of the proposed interior streets would meet the ordinance requirements with regard to length and number of local streets needed to access any one lot.

STREET CONNECTION TO THE NORTH (NOLLAN DRIVE AND SADLIER DRIVE)

The Ordinance requires all new subdivisions that abut an existing public street to provide a connection to that public street. There are two existing public streets abutting to the north of



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the subject site that were dedicated via a 1956 survey. Nollan Drive is a 25-foot east-west right-of-way that runs along the north property line for approximately 365 feet connecting to Fisher Road. Sadlier Drive connects with the west end of Nollan Drive and intersects perpendicularly with the subject site.

The petitioner has submitted two separate plat proposals – one showing compliance with the street connection requirements and one showing a cul-de-sac that does not connect. The petitioner has indicated that while they would prefer to develop the cul-de-sac without the street connection, they have shown how it would be developed if the street connection is required. Staff would note that the rezoning petition, which included a traffic study, was approved with a conceptual site plan with showed no connection to the north.

There are several purposes to requiring street connection between adjacent neighborhoods. The first is safety. Providing several access points into a neighborhood is desirable should any of the other access points become blocked or unusable.

The second reason is for easier interconnectivity for school buses, mail trucks and other delivery vehicles. It is much easier to plan a bus route or delivery route if the vehicle does not have to continually go back out to the perimeter roads. It is also safer for those vehicles since they do not have to make as many turns onto the busier, fast moving perimeter roads.

DPW has reviewed the proposed connection to the existing streets to the north in relation to the existing traffic and the traffic study submitted with the rezoning. DPW found no significant traffic concerns would be created with the connection to the streets to the north. Additionally, they would support the connection for the reasons stated above.

SIDEWALKS

Sidewalks are required along all perimeter and interior streets.

GENERAL INFORMATION

Existing Zoning	D-3	
Existing Land Use	Undeveloped	
Comprehensive Plan	Suburban Neighborhood / Linear Park	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Single-Family residential
South:	D-A	Single-Family residential
East:	D-A/SU-43	Single-Family residential
West:	D-A	Single-Family residential
Thoroughfare Plan		
Hanna Avenue	Primary Collector	30-foot existing and 80-foot proposed
Fisher Road	Primary Collector	40-foot existing and 80-foot proposed



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Nollan Drive	Local Street	25-foot existing and 50-foot proposed
Petition Submittal Date	June 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

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	<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>Street connection waiver requested</p>
741-300 Design and Installation Standards	<p><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></p>	EVALUATION
	<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> 	<p>Satisfied</p>
	<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> 	<p>Satisfied</p>

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	<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"> • 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. 	Not Satisfied/ Waiver Requested
	<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

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

741-304-316

Additional

Development Items

EVALUATION

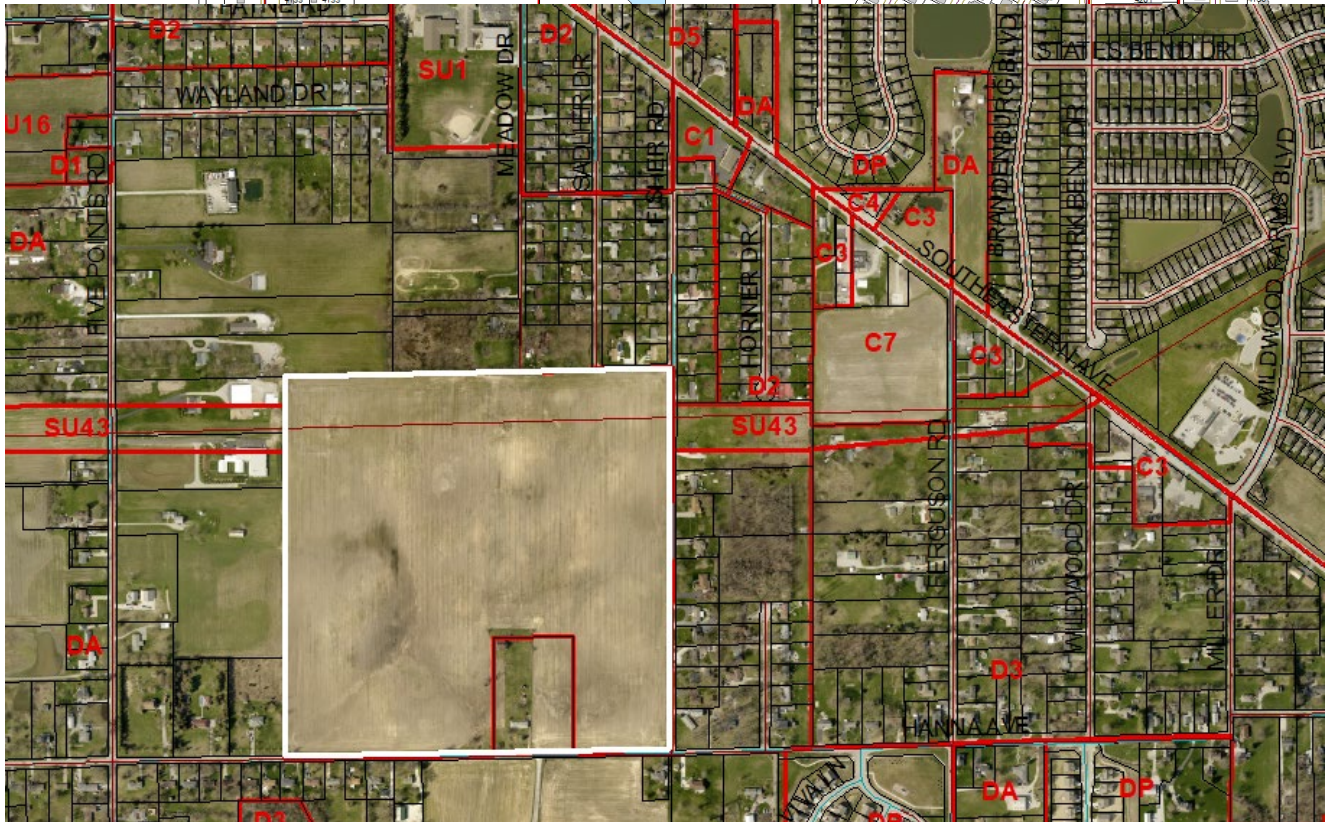
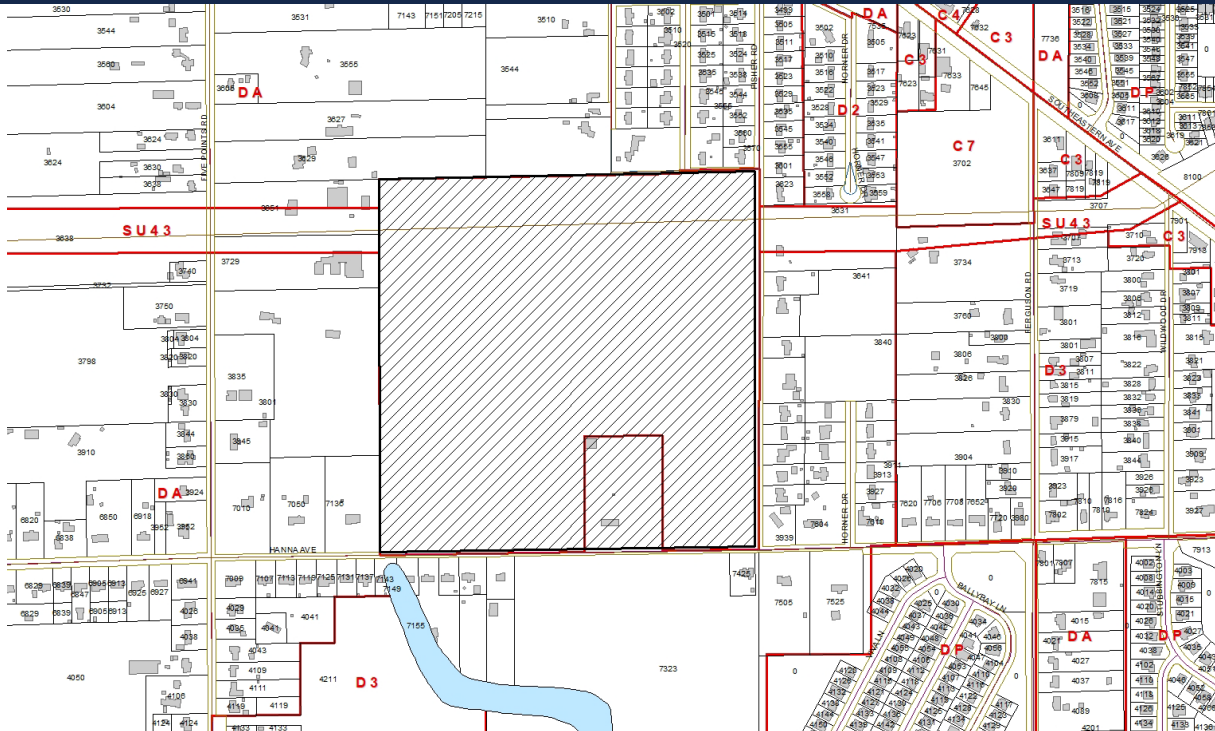
	<p><i>741.304.A-C – Traffic Control Devices:</i></p> <ul style="list-style-type: none"> • <i>Street name signs, traffic control signs, bike route signs.</i> • <i>Traffic control devices for streets exceeding 900 feet in length.</i> • <i>Bicycle Facilities for subdivisions with a collector street serving 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> 	Addresses 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
	<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



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	<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). 	Not submitted

EXHIBITS





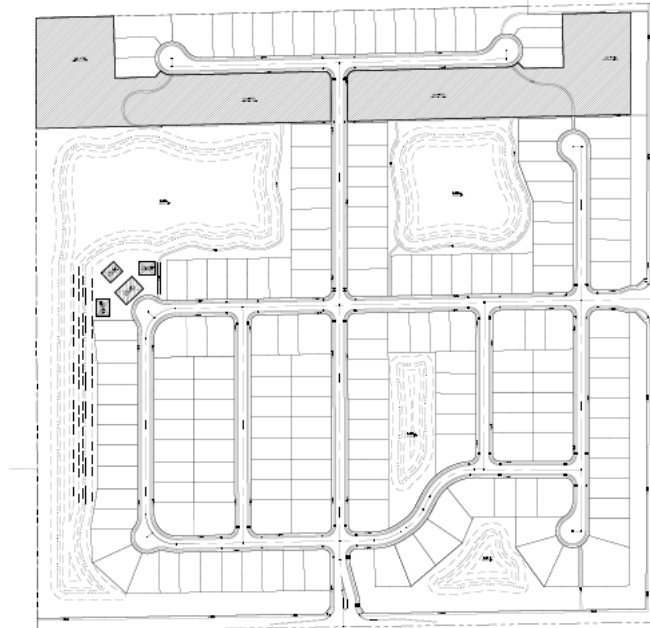
Close-up aerial of Nollan Drive and Sadlier Drive

**GRAYSON
PRELIMINARY PLAT**

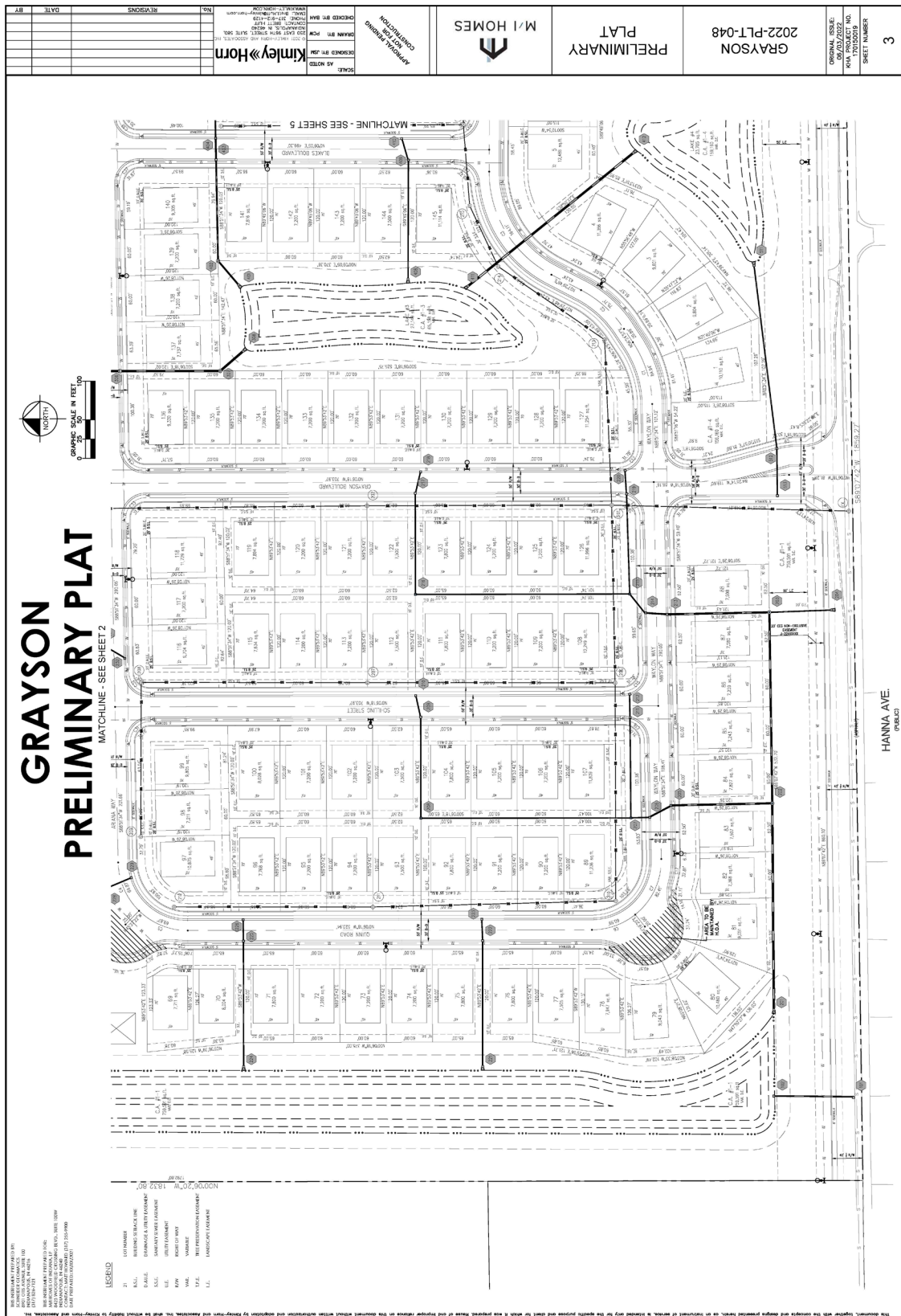


Layout with street connection

**GRAYSON
PRELIMINARY PLAT**



Layout without street connection





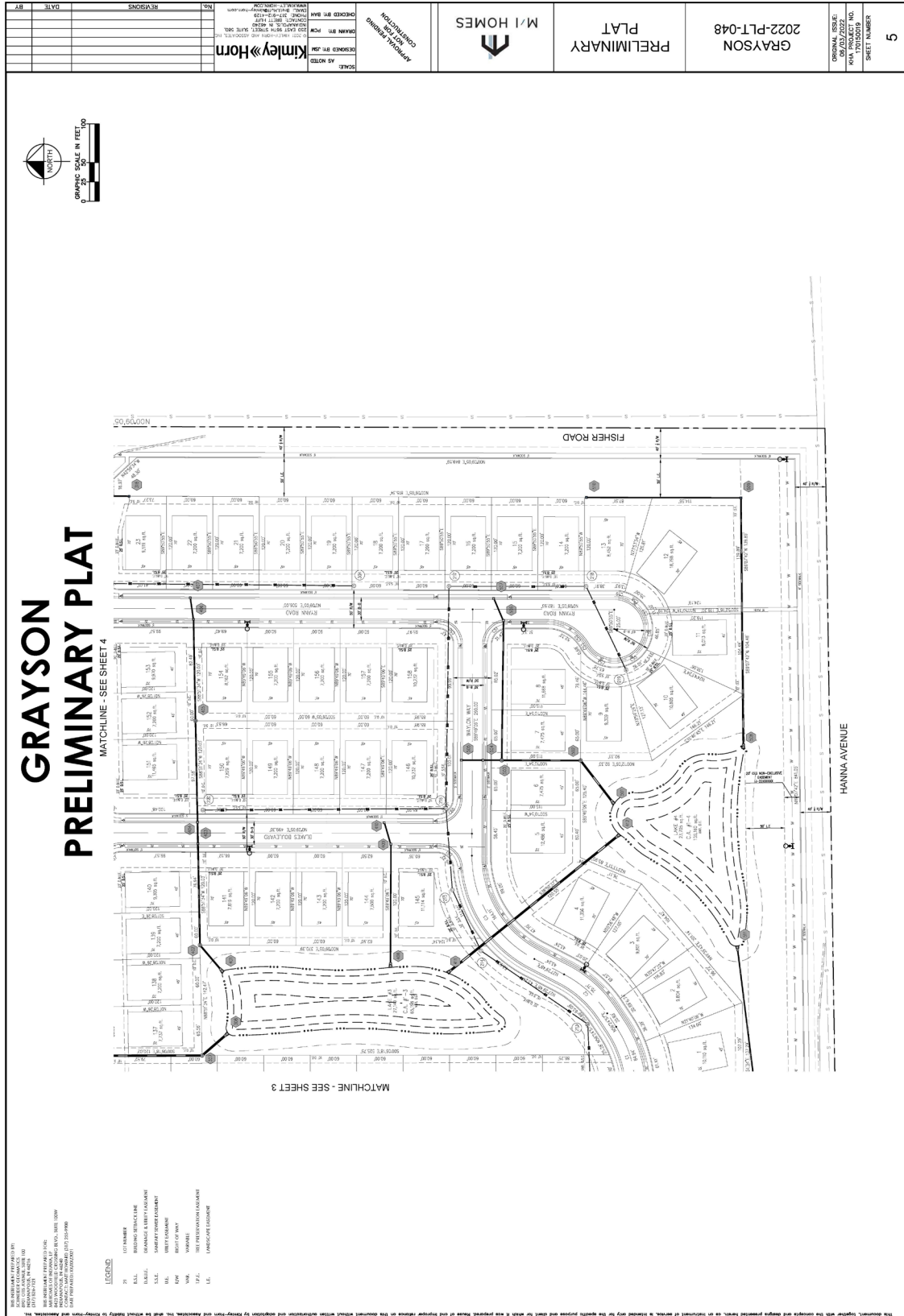




Figure 1 - Fisher Road looking south - Nollan Drive to the right



Figure 2 - Nollan Drive looking east towards Fisher Road



Figure 3 - Nollan Drive looking west



Figure 4 - Intersection of Nollan Dr and Sadlier Dr looking northwest

PLAT COMMITTEE

October 12, 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 fourth 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, and from the October 12, 2022 hearing to the November 9, 2022 hearing.

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.

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.

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	

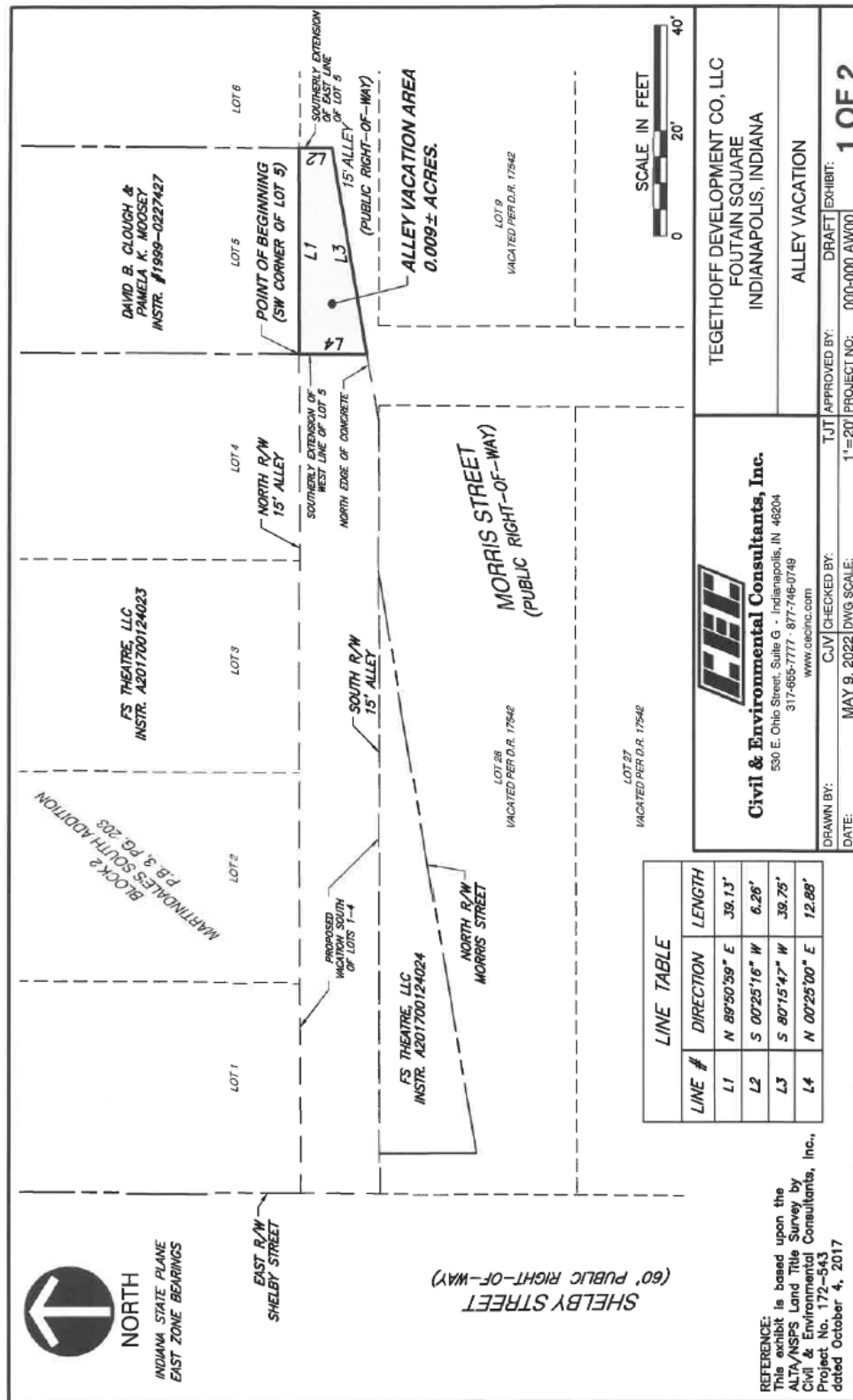
EXHIBITS



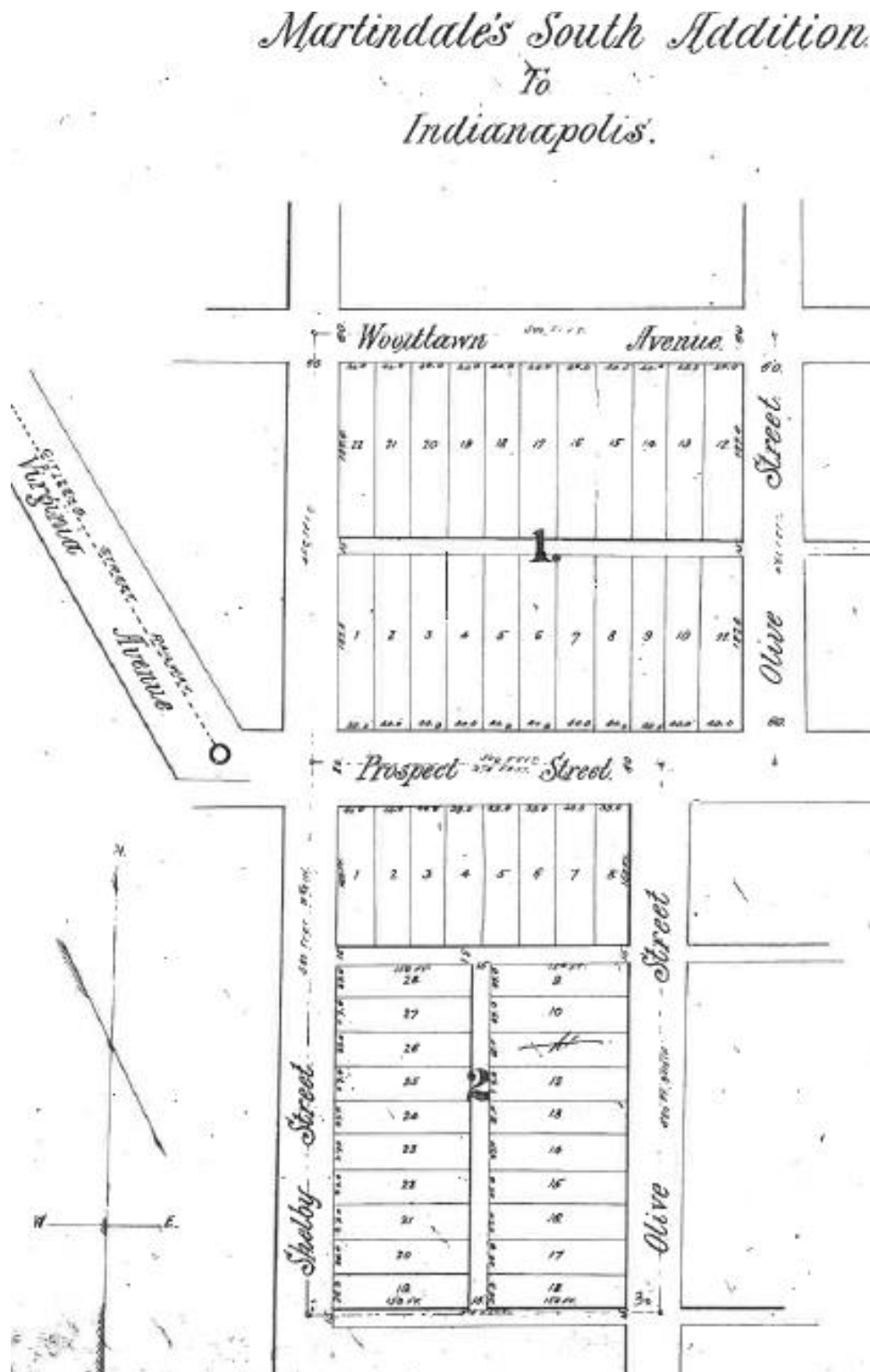
Aerial Photo 1972

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





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