

PLAT COMMITTEE

January 14, 2025

Case Number: 2025-PLT-079 / 2025-VAC-011

Property Address: 8501 and 8601 South Emerson Avenue and 5260 Noggle Way (*Approximate Addresses*)

Location: Franklin Township, Council District # 25

Petitioner: Claybrooke Luxury Living, LLC, by Joseph D. Calderon

Request: Approval of a Subdivision Plat to be known as Claybrooke Commons Mixed Use Subdivision, dividing 40.08 acres into one lot and three blocks.

Vacation of drainage and utility easement, being 20 feet in width, from the north line of Claybrook Commons Drive (private street), north 701.16 feet to the south line of proposed Block "A" of Claybrooke Commons Mixed Use Subdivision (2025-PLT-079), with a waiver of the Assessment of Benefits.

Waiver Requested: Waiver of Assessment of Benefits

Current Land Use: Undeveloped

Staff Reviewer: Michael Weigel, Senior Planner

PETITION HISTORY

12/10/25: A continuance was requested by staff due to an error involving the publication of legal notice.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 15, 2025, complies with the standards of the Subdivision regulations, subject to the following conditions:

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

8. That the Sanitary Sewer Covenant (Section 741-704, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
9. That the Storm Drainage Covenant (Section 741-703, of the Consolidated Zoning and Subdivision Ordinance) be affixed to the Final Plat prior to recording.
10. That the plat restrictions and covenants, done in accordance with the rezoning commitments, be submitted prior to recording the Final Plat.
11. That all the standards related to Secondary Plat approval listed in Sections 741-207 and 741-208 of the Consolidated Zoning and Subdivision Ordinance be met prior to recording the Final Plat.

Staff finds that the **vacation** would be in the public and recommends the vacation petition be **approved**. Staff supports the **waiver of the Assessment of Benefits** and recommends **approval**.

RECOMMENDED MOTION (approval): That the Plat Committee find that the proposed vacation is in the public interest; that the Plat Committee confirm and ratify the adoption of Declaratory Resolution 2025-VAC-011; that a hearing upon the Assessment of Benefits be waived; and that the vacation be subject to the rights of public utilities under IC 36-7-3-16.

PETITION OVERVIEW

SITE PLAN AND DESIGN

The subject site is currently comprised of three (3) previously platted parcels that constitute a portion of the Claybrooke Commons shopping center between Emerson Avenue and Interstate-65. The parcels contain areas of C-S and C-4 zoning, as well as a 9.19-acre portion of the property that was rezoned to the D-10 zoning designation via the petition 2025-ZON-056. Petition approval would create one (1) new lot to align with the area recently rezoned to the D-10 district, as well as three (3) additional blocks: Block A to the northwest (with a size of 13.31 acres), Block B to the southwest (6.41 acres), and Block C to the northeast (10.16 acres). The proposed plat would meet the standards of the C-S, C-4, and D-10 districts.

In addition to the requested plat (2025-PLT-079), a vacation of a drainage and utility easement with a width of 20 feet is being sought. The easement currently intersects through the eastern portion of the proposed Lot 1. Staff finds that the proposed vacation would be within the public interest.

STREETS & SIDEWALKS

Lot would be accessed via the private street Claybrooke Commons Drive to the south and east, and future development on the proposed block would likely have street access from current or future Claybrooke Commons Drive as well. No new streets would be created from the approval of this petition, and installation of sidewalk along the existing private drives would not be a requirement for platting.

WAIVER OF ASSESSMENT OF BENEFITS

Staff would note that since the requested vacation is for a non-public improvement, the waiver of the assessment of benefits would be automatic. The property owner would accept responsibility to maintain infrastructure placed in the areas to be vacated. Staff recommends approval of the petitioner's request for a waiver of the Assessment of Benefits.

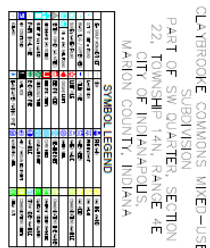


Department of Metropolitan Development
Division of Planning
Current Planning

GENERAL INFORMATION

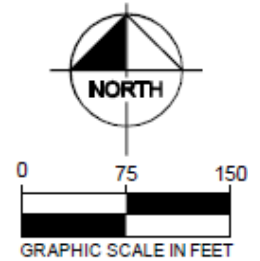
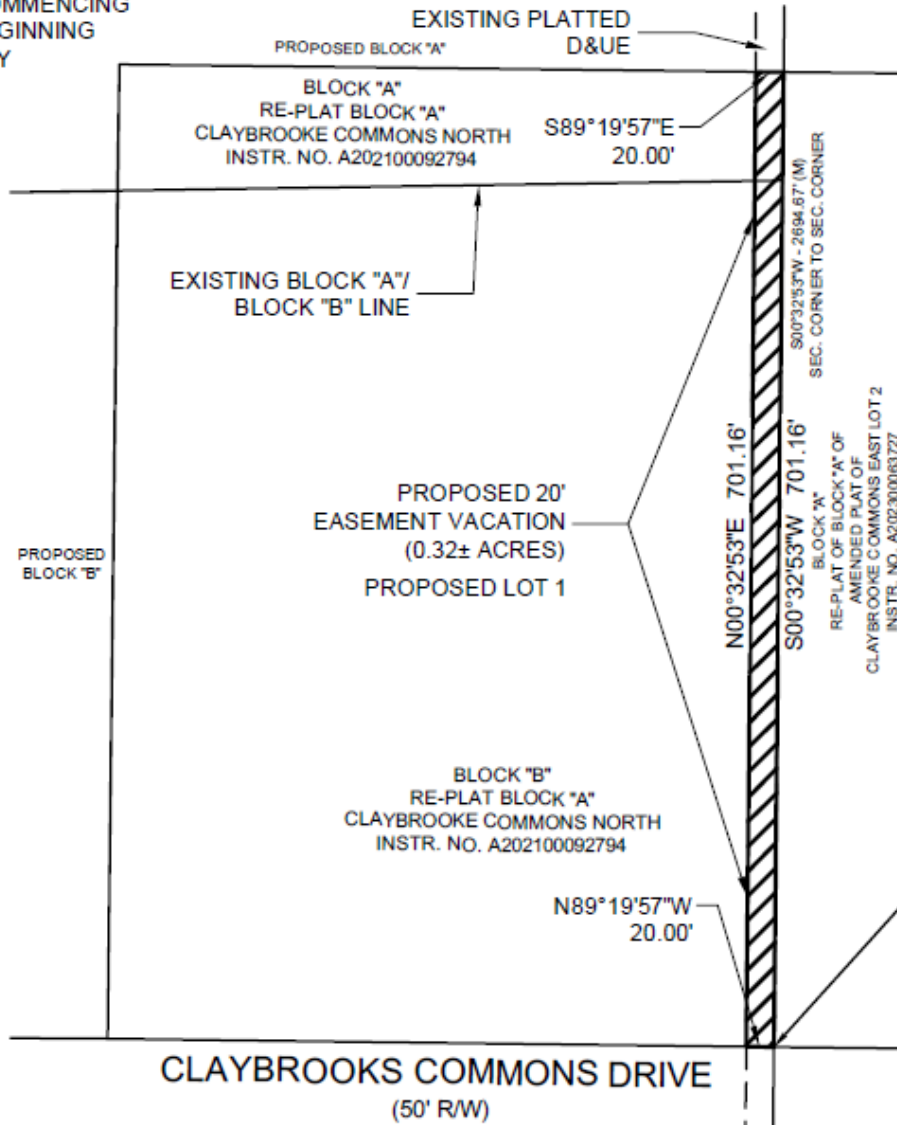
Existing Zoning	C-S / C-4 / D-10	
Existing Land Use	Undeveloped	
Comprehensive Plan	Interchange Area Mixed-Use	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North: D-4 / HD-1	Residential / Hospice
	South: C-S / C-4 / C-5	Commercial
	East: C-5 / C-S	Commercial / Interstate
	West: C-S	Commercial
Thoroughfare Plan		
Claybrooke Commons Drive	Private Street	
Petition Submittal Date	October 15, 2025	

2025PLT079 ; Proposed Plat



2025VAC011 ; Vacation Exhibit

GE & UTILITY EASEMENT
 OF COMMENCING
 OF BEGINNING
 F-WAY



2025PLT079 / 2025VAC011 ; Aerial Map



2025VAC011 ; Findings of Fact

1. THE PROPOSED VACATION IS IN THE PUBLIC INTEREST because:

There is no infrastructure/equipment located in the easement and the vacation will facilitate an otherwise approved multifamily development without disruption of utility service to the public.

2025PLT079 / 2025VAC011 ; Photographs (June 2025)



View looking west along Claybrooke Commons Drive



View looking east along Claybrook Commons Drive (site on left)

2025PLT079 / 2025VAC011 ; Photographs (continued)



View of site looking north across Claybrooke Commons Drive



View of site looking northeast across Claybrooke Commons Drive

2025PLT079 / 2025VAC011 ; Photographs (continued)



View of site looking northwest across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive

2025PLT079 / 2025VAC011 ; Photographs (continued)



View of site looking west across Claybrooke Commons Drive



View of site looking west across Claybrooke Commons Drive

2025PLT079 / 2025VAC011 ; Photographs (continued)



View of site looking southwest across Claybrooke Commons Drive



View looking south along Claybrooke Commons Drive (site on the right)