

## PLAT COMMITTEE

October 11, 2023

<b>Case Number:</b>	2023-PLT-074
<b>Property Address:</b>	4355, 4401 and 4445 East 10 <sup>th</sup> Street ( <i>Approximate Addresses</i> )
<b>Location:</b>	Center Township, Council District #12
<b>Petitioner:</b>	EGP Linwood II, LLC, by Scott Herkamp
<b>Zoning:</b>	C-4 and MU-1
<b>Request:</b>	Approval of a Subdivision Plat, to be known as Linwood Square Subdivision, subdividing 19.32 acres into six lots.
<b>Waivers Requested:</b>	None
<b>Current Land Use:</b>	Integrated commercial development
<b>Staff Reviewer:</b>	Jeffrey York, Principal 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 9, 2023, complies with the standards of the Subdivision regulations, subject to the following conditions:

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

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

## PETITION OVERVIEW

### SITE PLAN AND DESIGN

The subject site is zoned C-4 and MU-1 and is developed with an integrated commercial development, with five buildings and large parking areas. Six lots are proposed with this request. Lot 1 would be 7.37 acres, Lot 2 would be 8.05 acres, Lot 3 would be 0.76-acre, Lot 4 would be 0.679-acre, Lot 5 would be 0.398-acre, and Lot 6 would be 2.064 acres in size.

### STREETS

All lots would have direct frontage to public streets. No new streets are proposed with this Plat.

### SIDEWALKS

Sidewalks exist along 10<sup>th</sup> Street. Sidewalks are required along Linwood Avenue.

## GENERAL INFORMATION

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Integrated Commercial	
<b>Comprehensive Plan</b>	Community Commercial	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	
	<b><u>Land Use</u></b>	
	North:	C-1 / C-3 / C-4
	South:	D-5
	East:	D-5
	West:	C-4 / D-5
<b>Thoroughfare Plan</b>		
	10 <sup>th</sup> Street	Primary Arterial
		78-foot existing and proposed
<b>Petition Submittal Date</b>	August 9, 2023	

## SUBDIVISION PLAT REGULATIONS

741-203

Required Documents for Approval

EVALUATION

	<p><b>741.201.A-C – Primary Plat Requirements:</b></p> <ul style="list-style-type: none"> <li>• <i>Plat name, Legal Description, Surveyor Seal, Scale.</i></li> <li>• <i>Boundary Lines, Existing Street Names, and dimensions.</i></li> <li>• <i>Layout of Proposed Streets – names, widths, classifications.</i></li> <li>• <i>Layout of all easements and purpose thereof.</i></li> <li>• <i>Layout of lots with numbering and dimensions.</i></li> <li>• <i>Floodway/Floodplain Delineation.</i></li> <li>• <i>Topographic Map.</i></li> <li>• <i>Area Map.</i></li> </ul>	<p><b>Satisfied</b></p>
	<p><b>741-203.D – Traffic Control Plan</b></p> <ul style="list-style-type: none"> <li>• <i>Traffic control street signs and devices.</i></li> <li>• <i>Traffic calming devices.</i></li> <li>• <i>Bicycle facilities.</i></li> <li>• <i>Sidewalks and pedestrian facilities.</i></li> <li>• <i>Transit facilities, such as bus stops pads or shelter.</i></li> <li>• <i>Street lighting.</i></li> </ul>	<p><b>None submitted</b></p>
	<p><b>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</b></p> <ul style="list-style-type: none"> <li>• <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></li> <li>• <i>Location of Open Space Areas of the open space common area, indicating size and general improvements</i></li> <li>• <i>Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors)</i></li> </ul>	<p><b>Not required – six lots proposed</b></p>
	<p><b>741-205 – Waivers</b></p> <ul style="list-style-type: none"> <li>• <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></li> <li>• <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></li> <li>• <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></li> <li>• <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></li> <li>• <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></li> </ul>	<p><b>None Requested</b></p>

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

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"> <li>• 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></li> <li>• Streets shall intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 75 degrees.</li> <li>• Not more than two streets shall intersect at any one point.</li> <li>• Bicycle lanes meeting the Indiana Manual on Uniform Traffic Control Devices (IMUTCD) for location, width, and marking shall be provided along collector streets.</li> <li>• All streets shall be dedicated to the public. Alleys may be private.</li> <li>• 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.</li> </ul>	Satisfied
	<p><i>741-303.B – Through Connectivity (Metro Context Area):</i></p> <ul style="list-style-type: none"> <li>• 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.</li> <li>• Permanently dead-ended streets and alleys, except for cul-de-sac streets, are prohibited.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• Subdivisions with 30 or more lots shall have more than one entrance to the existing street network.</li> </ul>	Satisfied
	<p><i>741-303.D – Cul-de-sacs (Metro Context Area):</i></p> <ul style="list-style-type: none"> <li>• In the Metro Context Area, cul-de-sac lengths shall not exceed 500 feet or serve more than 20 dwelling units.</li> </ul>	None proposed
741-304-316		EVALUATION
Additional Development Items	<p><i>741.304.A-C – Traffic Control Devices:</i></p> <ul style="list-style-type: none"> <li>• <i>Street name signs, traffic control signs, bike route signs.</i></li> <li>• <i>Traffic control devices for streets exceeding 900 feet in length.</i></li> <li>• <i>Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units.</i></li> </ul>	None submitted

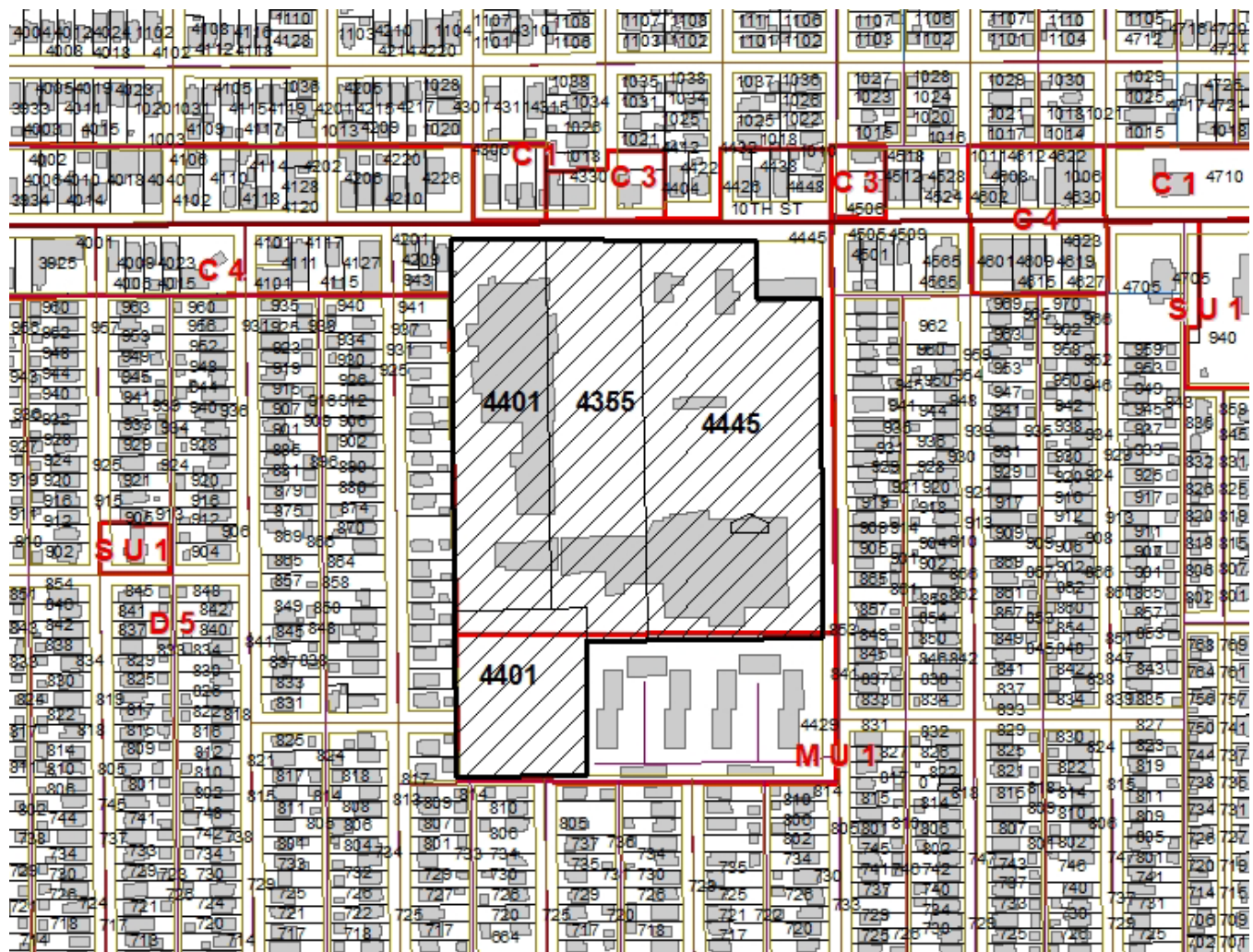
	<p>741.305 – <i>Numbering and naming:</i></p> <ul style="list-style-type: none"> <li>• <i>Street numbering per adopted addressing guidelines.</i></li> <li>• <i>Streets that are extensions or continuations of existing or approved streets must bear the name of such existing street.</i></li> </ul>	<b>Required</b>
	<p>741.306 – <i>Sidewalks:</i></p> <ul style="list-style-type: none"> <li>• <i>Sidewalks shall be provided along all internal and external streets.</i></li> </ul>	<b>Satisfied along 10<sup>th</sup> Street; Required along Linwood Avenue</b>
	<p>741.307-309 – <i>Easements, Utilities, Stream Protection Corridors:</i></p> <ul style="list-style-type: none"> <li>• <i>Utility easements shall be located along lot lines and shall be a minimum of 10 feet.</i></li> <li>• <i>All BMPs and drainage facilities must be located within an easement. The easement must accommodate adequate access for maintenance.</i></li> <li>• <i>Generally, pedestrian easements shall be 15 feet in width and be considered open to the public unless specifically declared otherwise.</i></li> <li>• <i>All utilities shall be located underground.</i></li> <li>• <i>All subdivisions must be designed in accordance with the Stream Protection Corridor requirements of Section 744-205.</i></li> </ul>	<b>Satisfied</b>
	<p>741.310 – <i>Common Areas, Open Space and Public Sites (Compact Context Area):</i></p> <ul style="list-style-type: none"> <li>• <i>Required for subdivisions with more than 20 dwelling units.</i></li> <li>• <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></li> <li>• <i>Basic Open Space Requirements: Multi-purpose path, natural landscaping area, entrance landscaping.</i></li> <li>• <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></li> <li>• <i>Reservation of land for public/semi-public purpose.</i></li> </ul>	<b>Not required</b>
	<p>741-312 – <i>Monuments</i></p> <ul style="list-style-type: none"> <li>• <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></li> </ul>	<b>Satisfied</b>
	<p>741.313 – <i>Flood Control:</i></p> <ul style="list-style-type: none"> <li>• <i>All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</i></li> <li>• <i>Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</i></li> <li>• <i>For Zone AE areas, the plat must show the BFE topographic line.</i></li> <li>• <i>For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</i></li> </ul>	<b>Satisfied</b>

741.316 – Street Lighting:

- All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).

Existing

EXHIBITS





### VICINITY MAP

### LEGEND

SYMBOL	DESCRIPTION
(D)	EXISTING DRAINAGE
(S)	SEWERAGE
(W)	WATER
(G)	GRASS
(T)	TREE
(B)	BUILDING
(F)	FENCE
(L)	LOT LINE
(E)	EXISTING EASEMENT
(P)	PROPOSED EASEMENT
(C)	CONCRETE
(A)	ASPHALT
(G)	GRAVEL
(S)	STONE
(B)	BRICK
(M)	MASONRY
(I)	IRON
(C)	COPPER
(Z)	ZINC
(P)	PLASTER
(G)	GLASS
(S)	STEEL
(C)	CERAMIC
(M)	METAL
(P)	PAPER
(C)	CLOTH
(S)	SKIN
(B)	BONE
(H)	HORN
(S)	SHELL
(I)	IVORY
(C)	CORAL
(S)	SEAL
(B)	BAMBOO
(M)	MOSS
(L)	LICHEN
(F)	FUNGUS
(A)	ALGAE
(S)	SPERMATOPHYTES
(G)	Gymnosperms
(A)	Angiosperms
(M)	Mosses
(L)	Lichens
(F)	Fungi
(A)	Algae
(S)	Spermatophytes
(G)	Gymnosperms
(A)	Angiosperms
(M)	Mosses
(L)	Lichens
(F)	Fungi
(A)	Algae

### SURVEYOR'S NOTES

1. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE SURVEYING ACT OF 1964, AS AMENDED, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, INDEPENDENCE, MISSOURI.

2. THE SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE SURVEYING ACT OF 1964, AS AMENDED, AND THE RULES AND REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, INDEPENDENCE, MISSOURI.

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### FILING

FILED AND RECORDED IN THE OFFICE OF THE COUNTY CLERK OF INDIAN COUNTY, MISSOURI, IN VOLUME \_\_\_\_\_ OF THE \_\_\_\_\_ RECORDS PAGE \_\_\_\_\_.

FILED BY \_\_\_\_\_

DATE OF FILING \_\_\_\_\_

### CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF INDIANA  
COUNTY OF MARION

I, \_\_\_\_\_, being the owner of the above described premises, do hereby certify that the same are owned by me and that I have no interest therein except as herein stated.

WITNESSES OUR HANDS AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

OWNER: \_\_\_\_\_

DEED: \_\_\_\_\_

### ACKNOWLEDGEMENT

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC: \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

### SURVEYOR'S CERTIFICATE

I, JASON M. PAIGE, a duly licensed and sworn-in surveyor in the State of Indiana, do hereby certify that I have personally supervised and made the survey shown on this map, and that the same is true and correct. I further certify that the information shown herein is true and correct.

JASON M. PAIGE  
STATE OF INDIANA

### ZONING INFORMATION

ZONE	PERMITTED USES	PROHIBITED USES
RESIDENTIAL SINGLE-FAMILY (RS)	Single-family detached dwellings, accessory uses.	Multi-family dwellings, commercial, industrial, etc.
RESIDENTIAL MEDIUM-DENSITY (RM)	Single-family detached dwellings, accessory uses, townhomes.	Multi-family dwellings, commercial, industrial, etc.
RESIDENTIAL HIGH-DENSITY (RH)	Single-family detached dwellings, accessory uses, townhomes, multi-family dwellings.	Commercial, industrial, etc.
COMMERCIAL (C)	Retail, service, and office uses.	Manufacturing, storage, etc.
INDUSTRIAL (I)	Manufacturing, storage, and distribution uses.	Residential, commercial, etc.

FILED BY \_\_\_\_\_

DATE OF FILING \_\_\_\_\_

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FILED BY \_\_\_\_\_

DATE OF FILING \_\_\_\_\_

PHOTOS



Views of Proposed Lot One



View of Washington Street frontage along Proposed Lot One, looking west



Views of Proposed Lots Three and Four



View Washington Street frontage along Proposed Lots One, Three and Four, looking east



Views of Proposed Lots Two and Five



View of Proposed Lot Six



View of Linwood Avenue frontage along of Proposed Lots Two and Five, looking north



View of Linwood Avenue frontage along Proposed Lot Two, looking south