



## PLAT COMMITTEE

March 13, 2024

<b>Case Number:</b>	2024-PLT-009
<b>Property Address:</b>	5101 E Thompson Road ( <i>Approximate Address</i> )
<b>Location:</b>	Franklin Township, Council District #24
<b>Petitioner:</b>	BT Indianapolis, by Matthew Maple
<b>Zoning:</b>	C-4
<b>Request:</b>	Approval of a Subdivision plat to be known as BT Indianapolis, dividing 7.527 acres into four lots, with a waiver of the sidewalk requirement.
<b>Waiver Requested:</b>	Waiver of sidewalks
<b>Current Land Use:</b>	Commercial
<b>Staff Reviewer:</b>	Michael Weigel, Senior Planner

## PETITION HISTORY

This is the first public hearing for this petition.

## STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated January 18, 2024, 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.
12. That the sidewalk waiver request be denied.

**PETITION OVERVIEW**

**SITE PLAN AND DESIGN**

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

**STREETS**

Lot 1 would have access to Emerson Avenue, while Lots 3 and 4 would front on Emerson Avenue entirely. Lot 2 would front to Thompson Road. No new streets are proposed.

**SIDEWALKS**

There is currently existing sidewalk along both sides of Emerson Avenue. Sidewalks would be required along Thompson Road (approximately 300' in total length). There is not currently existing pedestrian connectivity servicing the existing multitenant commercial center on either side of Thompson Road, and the applicant claims that the existing drainage ditch and utility site along Thompson would not make installation of sidewalks feasible. Provided findings of fact also indicate that a pathway would be installed through the center of the property to provide internal connectivity (see layout in Exhibits).

There are existing bus stops for Lines 16 and 56 that run along Emerson Avenue. The address 5201 E Thompson Road to the east of the property is undergoing a replatting and has also requested a waiver of the sidewalk requirement for which staff is also recommending denial.

Evidence has not been provided to substantiate the claim that any added costs of sidewalk installation near a drainage ditch would outweigh the positive benefits of pedestrian connectivity recommended by comprehensive plans and required by ordinance. Staff would recommend denial of the waiver request. If the plat committee approves the waiver against staff's recommendation, a contribution in lieu of sidewalk installation should be required as a condition of approval subject to Section 744-301.G.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4	
<b>Existing Land Use</b>	Commercial Integrated Center	
<b>Comprehensive Plan</b>	Regional Commercial	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-3/C-4	Commercial
South:	C-S	Commercial
East:	C-4	Commercial
West:	C-4/D-A	Commercial/Residential
<b>Thoroughfare Plan</b>		



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

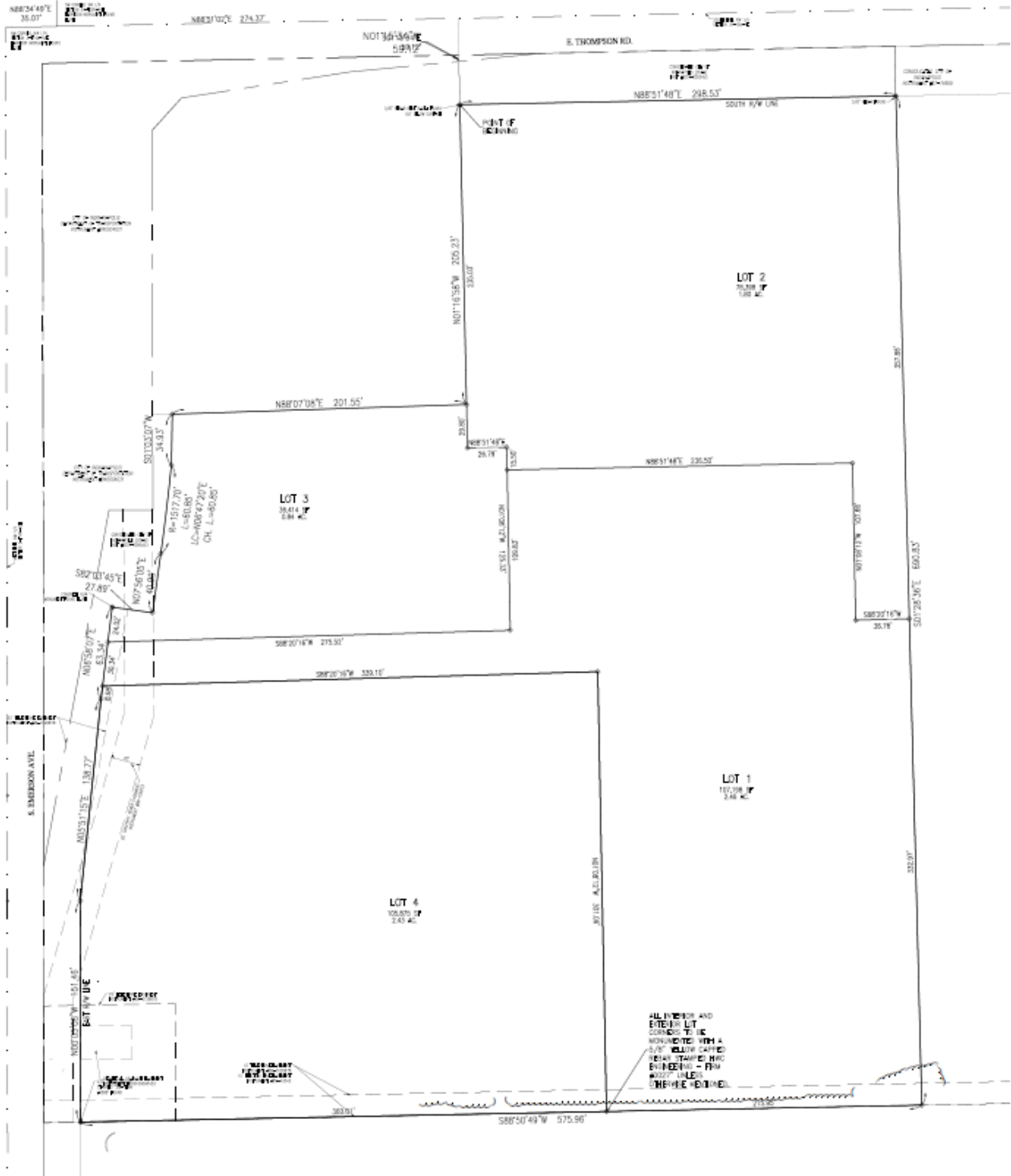
Thompson Road	Primary Arterial	110-foot right-of-way existing and 119-foot right-of-way proposed
Emerson Avenue	Primary Arterial	145-foot right-of-way existing and 112-foot right-of-way proposed
<b>Petition Submittal Date</b>	02/02/2024	

**EXHIBITS**

**2024PLT009 ; Aerial Map**



**2024PLT009 ; Preliminary Plat**





**2024PLT009 ; Findings of Fact**

1. The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property because:

The site currently does not have a frontage walk along Thompson Road.

2. The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property because:

This site has a large drainage swale along Thompson and there is an existing Utility blocking any path for a sidewalk. The Utility has an approved site with bollards blocking any means of access across the frontage along Thompson Road.

3. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out:

The side ditch of Thompson Road along the south side is a large drainage conveyance that would be negatively impacted by the addition of a pathway.  
There are obstructions along the frontage that would prohibit the path, and block its use.

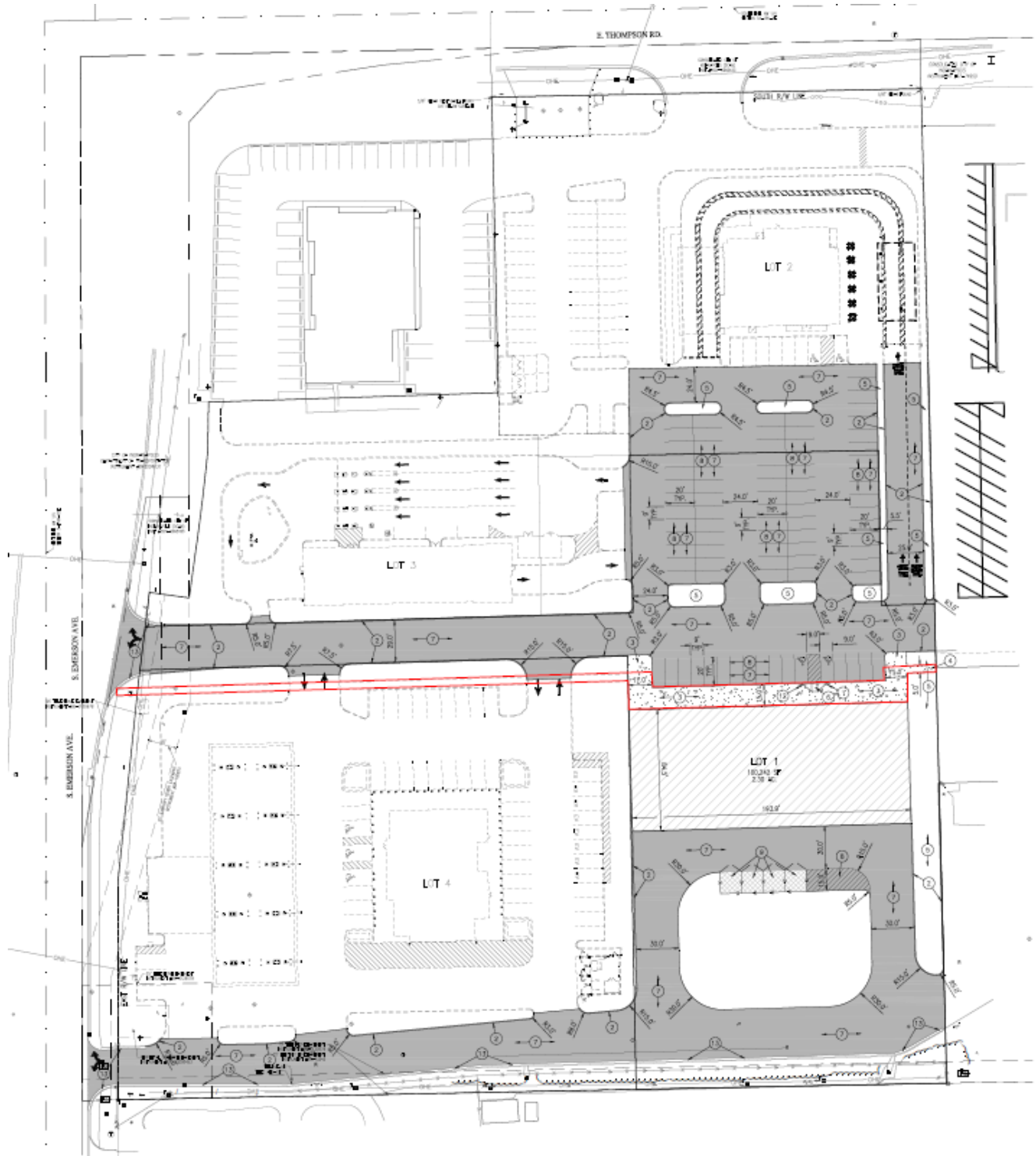
4. The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation because:

An internal pathway is planned for the BT Indianapolis development that would connect the sidewalk from Emerson all the way to the east side of the BT Indianapolis development to connect to the Emersonn Plaza 2 infrastructure.

5. 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 because:

The waiver for sidewalks shall not impact other ordinances.

**2024PLT009 ; Proposed Internal Pathway**



**PHOTOS**

**2024PLT009; Pictures**



Photo 1: View of Properties on Northern Side of Thompson



Photo 2: View from North along Thompson



**2024PLT009; Pictures (continued)**



Photo 3: View along Thompson ROW to East



Photo 4: View along Thompson ROW to West

**2024PLT009; Pictures (continued)**



Photo 5: View from East along Emerson



Photo 6: View of Properties on Western side of Emerson

**2024PLT009; Pictures (continued)**



Photo 7: Existing Utility Site along Southern Side of Thompson



Photo 8: Sidewalk Installed to Northeast of Subject Site (Photo from May 2023)