

PLAT COMMITTEE

January 8, 2025

Case Number:	2024-PLT-068
Property Address:	1401 Indiana Avenue, 1426 Rembrandt Street, and 1465 Gent Avenue (Approximate Addresses)
Location:	Center Township, Council District # 12
Petitioner:	Matchbook Learning Schools of Indiana, Inc., by Joseph D. Calderon
Zoning:	CBD-2 (RC) / I-3 (RC)
Request:	Approval of a Subdivision Plat to be known as Replat of Lots 368-378, 401 and 402 in Stouts Indiana Avenue Addition, dividing 1.97 acres into five lots.
Waiver Requested:	Waiver of sidewalks along Gent Avenue and 15 th Street
Current Land Use:	Former industrial building and a small industrial building
Staff Reviewer:	Jeffrey York, Principal Planner II

PETITION HISTORY

This petition was continued from the November 13, 2024, hearing to the December 11, 2024, hearing at the request of staff. The Plat Committee hearing was not held on December 11, 2024, due to a lack of quorum. On December 11, 2024, the petitioner submitted a packet of supportive information to the file.

STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 4, 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 a street lighting plan compliant with Section 744-600 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
13. That a Traffic Control plan compliant with Section 741-203 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.
14. That a revised plan compliant with Section 744-302 of the Consolidated Zoning and Subdivision Ordinance denoting concrete walk or sidewalks along Gent Avenue and 15th Street, shall be submitted prior to recording the final plat.
15. That the sidewalk waiver request along Gent Avenue and 15th Street be denied.

PETITION OVERVIEW

SITE PLAN AND DESIGN

Most of the subject site is zoned CBD-2 (RC), with the northwest portion zoned I-3 (RC). The larger portion of the site contains a large industrial building that is currently being renovated into educational uses. This building would be located on proposed Lot 2 and would be 1.17 acres in size. The smaller portion of the site contains an industrial building that would remain as is. This building would be located on proposed Lot 1 and would be 0.71-acre in size.

The submitted plat petition indicates a proposal to divide the subject site into five lots, however, the submitted plat survey indicates that the plat would divide the site into four lots. This would be a reduction in the request and would not require new notice.

CBD-2 (RC) permits a wide range of uses including mixed residential, commercial, and educational uses. I-3 (RC) is a medium intensity industrial zone and would permit significant industrial uses, however, the site is within the Regional Center, which would prohibit outdoor storage.

Between Lots 2 and 3, a proposed dedication of an alley would be proposed, replacing the existing alley right-of-way. The new alley would be 25 feet in width, an increase of the existing 15-foot-wide alley.

This plat would meet the zoning ordinance and subdivision regulation requirements.

STREETS

Lots 1, 2, and 3 would have direct street frontages, to Indiana Avenue, Gent Avenue, 15th Street, or Rembrandt Street. Lot 4 would be the smallest lot, at 0.04-acre, and accessed from the alleys. No new streets are proposed with this plat.



SIDEWALKS

Sidewalks exist along Indiana Avenue and Rembrandt Street. Sidewalks do not exist along Gent Avenue or 15th Street and a waiver of the sidewalk requirement has been requested.

This site is recommended for urban mixed uses, with an immediate re-use of an industrial building into educational uses. It is imperative that sidewalks be installed where they are not currently improved, especially for a school use and also within a highly urbanized area.

Significant private and public investment has been made in this area that is already having significant impact upon development, with 16 Tech to the south, new Eskenazi Hospital to the south, across 10th Street, and a new hospital under development about a mile to the east. These developments are multi-billion-dollar investments and will produce thousands of jobs. Therefore, the lack of sidewalks along the west and north of the subject site is not in the public interest. 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		
Existing Zoning	CBD-2 (RC) / I-3 (RC)	
Existing Land Use	Industrial buildings	
Comprehensive Plan	Urban mixed-use	
Surrounding Context	Zoning	Land Use
North:	D-5 (RC)	Undeveloped / Commercial
South:	CBD-S (RC)	16 Tech
East:	D-5 (RC)	Single-family dwellings
West:	CBD-2 (RC) / CBD-S (RC)	Offices / 16 Tech
Thoroughfare Plan		
Indiana Avenue	Primary Arterial	80-foot right-of-way existing and 66-foot right-of-way proposed
Rembrandt Street	Local Street	48-foot right-of-way existing and proposed
Gent Avenue	Local Street	48-foot right-of-way existing and proposed
Petition Submittal Date	October 4, 2024	

SUBDIVISION PLAT REGULATIONS

741-203

Required Documents for Approval

EVALUATION

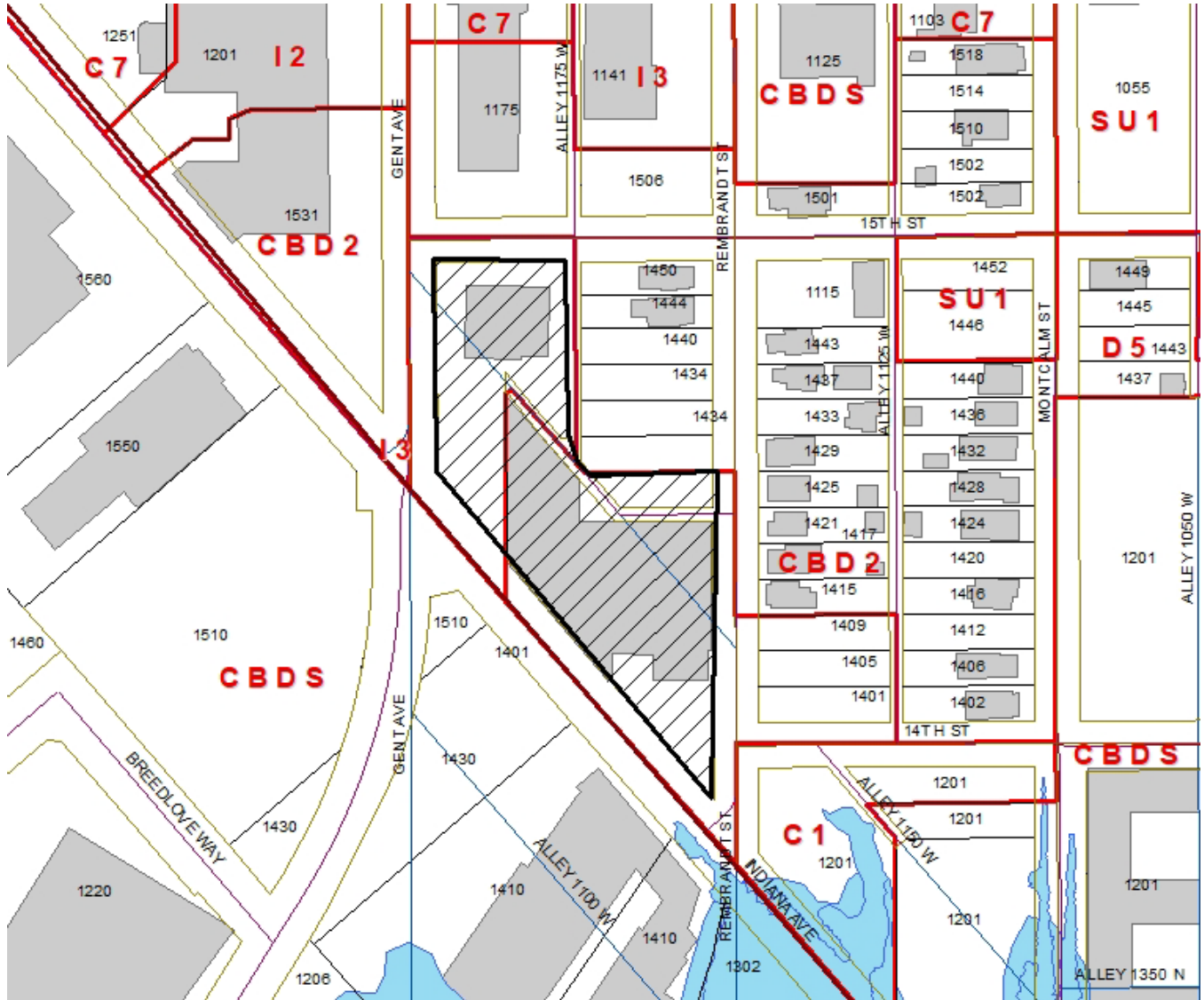
	<p><i>741.201.A-C – Primary Plat Requirements:</i></p> <ul style="list-style-type: none"> • <i>Plat name, Legal Description, Surveyor Seal, Scale.</i> • <i>Boundary Lines, Existing Street Names, and dimensions.</i> • <i>Layout of Proposed Streets – names, widths, classifications.</i> • <i>Layout of all easements and purpose thereof.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> • <i>Area Map.</i> 	<p>Satisfied</p>
	<p><i>741-203.D – Traffic Control Plan</i></p> <ul style="list-style-type: none"> • <i>Traffic control street signs and devices.</i> • <i>Traffic calming devices.</i> • <i>Bicycle facilities.</i> • <i>Sidewalks and pedestrian facilities.</i> • <i>Transit facilities, such as bus stops pads or shelter.</i> • <i>Street lighting.</i> 	<p>Not satisfied – see condition #13</p>
	<p><i>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</i></p> <ul style="list-style-type: none"> • <i>Placement of all proposed drainage facilities for the subdivision, indicating type of facility and if the facility is to be designed to be wet or dry</i> • <i>Location of Open Space Areas of the open space common area, indicating size and general improvements</i> • <i>Location of any Stream Protection Corridors in accordance with Section 744-205 (Stream Protection Corridors)</i> 	<p>Not required</p>
	<p><i>741-205 – Waivers</i></p> <ul style="list-style-type: none"> • <i>The granting of the waiver or modification will not be detrimental to the public health, safety, or welfare or injurious to other property</i> • <i>The conditions upon which the request is based are individual to the property for which the relief is sought and are not applicable generally to other property;</i> • <i>Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;</i> • <i>The resulting subdivision fulfills the purpose and intent of these regulations at an equal or higher standard than what would have been possible without the deviation; and</i> • <i>The relief sought shall not in any manner vary from the provisions of the Zoning Ordinance, or official zoning base maps, except as those documents may be amended in the manner prescribed by law.</i> 	<p>None Requested</p>

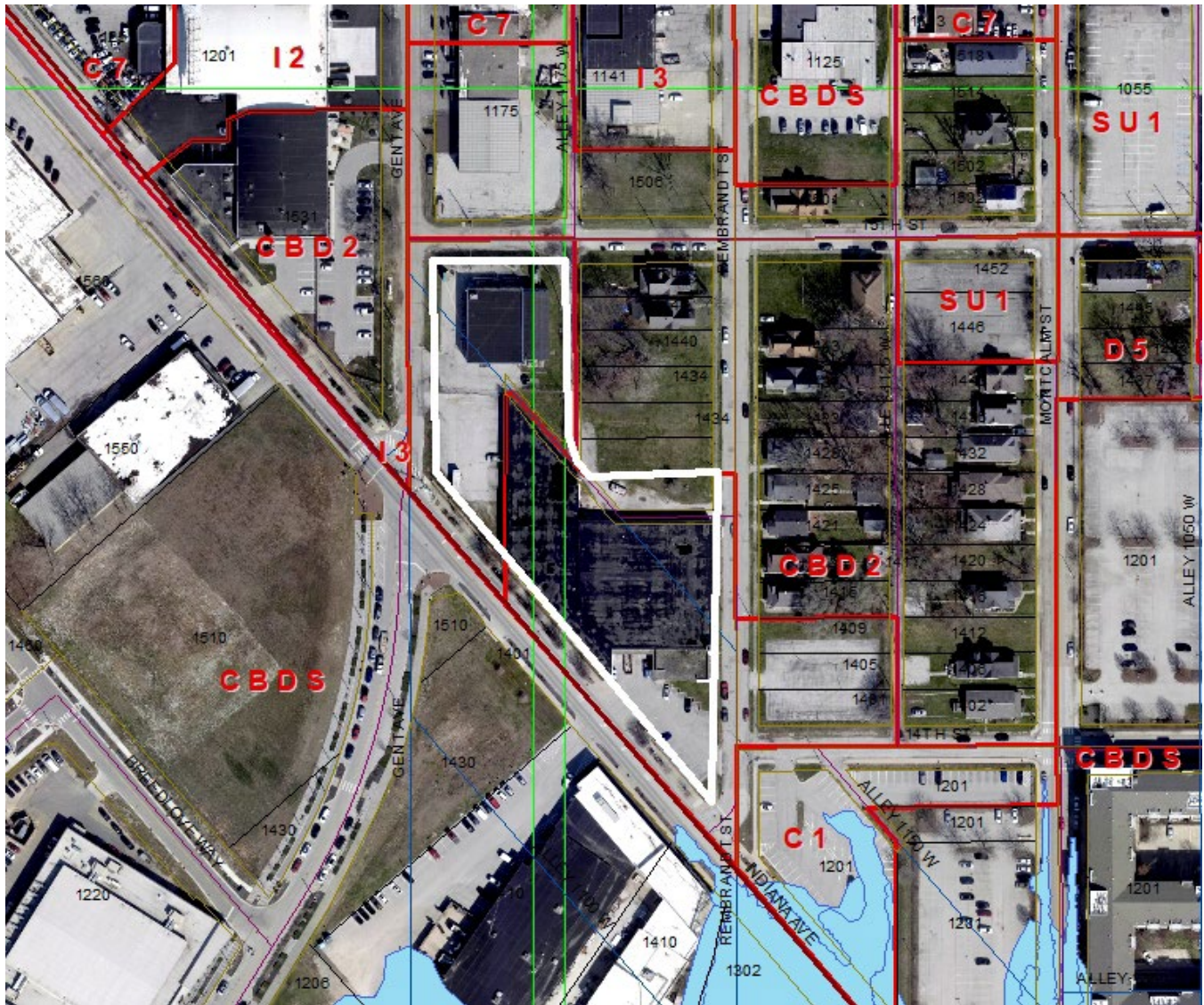
741-300 Design and Installation Standards	<i>All proposed plats submitted for Committee approval under the provisions of these regulations shall meet these standards to the satisfaction of the Committee unless waived by the Committee.</i>	EVALUATION
	<p>741-302.A – Lots:</p> <ul style="list-style-type: none"> • <i>Comply with zoning district and any cluster approval or variance grant.</i> • <i>Lots must have positive drainage away from buildings.</i> • <i>No more than 25% of lot area may be under water.</i> • <i>Side lots lines at right angles to streets or radial to curving street line.</i> • <i>Layout of lots with numbering and dimensions.</i> • <i>Floodway/Floodplain Delineation.</i> • <i>Topographic Map.</i> 	Satisfied
	<p>741-302.B – Frontage and Access:</p> <ul style="list-style-type: none"> • <i>Through lots should be avoided except where necessary for primary arterial separation and topography challenges.</i> • <i>Triple frontage lots are prohibited.</i> • <i>Lots abutting alleys must have vehicular access exclusively from alley.</i> • <i>Lots shall not have direct access to arterial streets.</i> • <i>Non-residential plats shall provide cross-access easements to limits points of access to existing street network to no more than one per 500 feet.</i> 	Satisfied
	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> • <i>Shall not exceed maximum block lengths per Table 741-302.1</i> • <i>If exceeded, it must be demonstrated that:</i> <ul style="list-style-type: none"> ○ <i>There are improved pedestrian easements at intervals of 400 feet or less.</i> ○ <i>Adequate traffic calming provisions are made.</i> ○ <i>The block length must be exceeded because of physical conditions of the land.</i> 	None proposed

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. 	<p>Satisfied</p>
	<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. 	<p>Satisfied</p>
	<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. 	<p>Satisfied</p>
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> 	<p>Satisfied</p>

	<p>741.305 – <i>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> 	<p>Required before recording plat</p>
	<p>741.306 – <i>Sidewalks:</i></p> <ul style="list-style-type: none"> • <i>Sidewalks shall be provided along all internal and external streets.</i> 	<p>Not satisfied – see condition #14</p>
	<p>741.307-309 – <i>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> 	<p>Satisfied</p>
	<p>741.310 – <i>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> 	<p>Satisfied</p>
	<p>741-312 – <i>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> 	<p>Satisfied</p>
	<p>741.313 – <i>Flood Control:</i></p> <ul style="list-style-type: none"> • <i>All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</i> • <i>Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</i> • <i>For Zone AE areas, the plat must show the BFE topographic line.</i> • <i>For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</i> 	<p>Satisfied</p>
	<p>741.316 – <i>Street Lighting:</i></p> <ul style="list-style-type: none"> • <i>All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</i> 	<p>Not satisfied – see condition #12</p>

EXHIBITS





REPLAT
 OF LOTS 362-376, 401 & 402 IN
 STOOT'S INDIAN AVENUE ADDITION

LEGEND

- 1. EXISTING
- 2. PROPOSED
- 3. EXISTING LOT BOUNDARIES
- 4. PROPOSED LOT BOUNDARIES
- 5. EXISTING UTILITY LINES
- 6. PROPOSED UTILITY LINES
- 7. EXISTING DRIVEWAYS
- 8. PROPOSED DRIVEWAYS
- 9. EXISTING SIDEWALKS
- 10. PROPOSED SIDEWALKS

NOTES

1. SEE PLAN FOR ALL DIMENSIONS.
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9. SEE PLAN FOR ALL DIMENSIONS.
10. SEE PLAN FOR ALL DIMENSIONS.

DATE: _____

BY: _____

TITLE: _____

SCALE: _____

COUNTY: _____

MUNICIPALITY: _____

OWNER: _____

PREPARED BY: _____

GENERAL NOTES:

1. THE PLAT IS MADE FROM THE RECONSTRUCTION PLAT HEREON.

2. THE RECONSTRUCTION PLAT IS SUBJECT TO THE CITY OF INDIANAPOLIS, INDIANA, AND IS NOT TO BE CONSIDERED A FINAL PLAT.

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OWNER INFORMATION:

NAME: _____

TITLE: _____

ADDRESS: _____

CITY: _____

STATE: _____

ZIP: _____

PREPARED BY: _____

DATE: _____



Petition Number 2024-CPL-

REQUESTED WAIVER:

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

WAIVER OF THE SUBDIVISION REGULATIONS (SIDEWALKS)
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:

there will be no additional improvements to Lot 1, and the waiver is preserving the same condition as exists today.

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:

the plat triggering the sidewalk requirement is to allow a transfer of a small parcel between existing landowners, and no improvements or change of use of Lot 1 is taking place.

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 existing building is industrial in nature and the property has been improved without sidewalks for many years. The traffic patterns on Gent and fronting on Lot 1 are not conducive to pedestrian traffic.

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:

the plat will facilitate renovation of an industrial facility on Lot 2 into a charter school which will provide for better access (vehicular and pedestrian) than exists today.

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:

there is no change in the use of Lot 1, which is where the sidewalk waiver applies.

DECISION

IT IS THEREFORE the decision of this body that this WAIVER of the Subdivision Regulations be granted, subject to any conditions stated in the minutes (which conditions are incorporated herein by reference and made a part of this decision).

Adopted this ___ day of ___, 20__

Blank lines for signatures and dates.

PHOTOS



View along Rembrandt Street looking north, from Indiana Avenue intersection (site is to the left)



View of existing sidewalk along Rembrandt Street (site is to the left)



View of existing sidewalk along Rembrandt Street (site is to the left)



View of alley north and east of subject site



View along the north end of subject site and 15th Street, looking west



View of west portion of subject site along Gent Avenue, looking south



View of west portion of site along Gent Avenue, looking south toward Indiana Avenue intersection



View of southwest portion of the site along Indiana Avenue, looking southeast



View of southeast tip of subject site along Indiana Avenue, looking northwest