

## PLAT COMMITTEE

January 10, 2024

<b>Case Number:</b>	2023-PLT-072
<b>Property Address:</b>	11700 and 11850 East 38th Street and 4002 North Carroll Road (Approximate Address)
<b>Location:</b>	Warren Township, Council District #14
<b>Petitioner:</b>	Keith Russell / Russell Builders, by Mike Gisbon
<b>Zoning:</b>	D-5 (FF)
<b>Request:</b>	Approval of a Subdivision Plat, to be known as Dotson Farms Subdivision, dividing 46.2 acre into 138 lots.
<b>Waiver Requested:</b>	None
<b>Current Land Use:</b>	Undeveloped
<b>Staff Reviewer:</b>	Linda Ahlbrand, Principal Planner II

## PETITION HISTORY

This petition was continued from October 11, 2023 to November 8, 2023, from November 8, 2023 to December 13, 2023, and from December 13, 2023 to January 10, 2024, at the request of staff, to allow time for the petitioner to correct issues with the plat.

As of this writing, a revised plat has not been submitted. However, staff is expecting revisions prior to the hearing. Staff may provide an updated staff report at the hearing.

## STAFF RECOMMENDATION

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated December 6, 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.
12. That a dedicatory statement be included in the Owner's Certificate on the plat, prior to final plat recording.
13. That a statement be added to the plat that the "eyebrow" portion of the right-of-way be maintained by the Home Owner's Association. The eyebrow area shall be "hatched" or otherwise indicated on the plat and included in the key, prior to final plat recording.
14. That the right-of-way of Ralph Wiley Drive (north of lots 123-127) be labeled as a collector street with 60 feet of right-of-way and that only one street should be labeled as Ralph Wiley Drive, prior to final plat recording.
15. That all side lot lines be drawn at right angles to streets or radial to curving street line (Lots 11-15) prior to final plat recording.
16. That the acreage and lot width for each lot be identified on the plat prior to final plat recording.
17. That a revised Natural Infrastructure Plan be submitted for Administrator's Approval prior to final plat recording.
18. That a revised Traffic Control Plan be submitted for Administrator's Approval prior to final plat recording.
19. That a revised Tree Inventory/Preservation Plan be submitted for Administrator's Approval prior to any earth movement or tree removal.
20. That the dedication of right-of-way along both perimeter streets be revised to match the requirements of the zoning commitments.
21. That a lighting plan compliant with Section 744-600 of the Consolidated Zoning and Subdivision Ordinance be submitted prior to recording the final plat.

## **PETITION OVERVIEW**

### **SITE PLAN AND DESIGN**

This request would provide for the subdivision of 46.2 acres into 138 lots, to be known as Dotson Farms. The subject site was rezoned to the D-5 classification in 2022 (2022-ZON-



030). The most recent version of the plat reviewed by staff had numerous deficiencies. Therefore, staff has placed several conditions on the approval of the plat. If all of the deficiencies are addressed, the proposed plat would be consistent with the approved rezoning commitments, the D-5 District and the Subdivision Regulations.

**STREETS**

This subdivision would gain access to 38<sup>th</sup> Street to the south and Carroll Road to the east with two new access points. Additionally, the subdivision would connect to an existing stub street to the north, Denali Drive. All the proposed interior streets would meet the ordinance requirements for length and number of local streets needed to access any one lot.

**SIDEWALKS**

Sidewalks are required along Carroll Road, 38<sup>th</sup> Street, and all interior streets.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-5	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Airport Related Mixed-use	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
	North:	D-P/D-3 Single-Family residential
	South:	D-7/D-4 Undeveloped/Single-Family residential
	East:	Hancock County Single-Family residential
	West:	D-P Single-Family residential
<b>Thoroughfare Plan</b>		
38 <sup>th</sup> Street	Primary Arterial	85-foot existing and 90-foot proposed
Carroll Road	Primary Collector	40-foot existing and 106-foot proposed
Denali Drive	Local Street	50-foot existing and 50-foot proposed
<b>Petition Submittal Date</b>	August 4, 2023	

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

	<p>741-205 – Waivers</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>
<p>741-300 Design and Installation Standards</p>	<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>	<p><b>EVALUATION</b></p>
	<p>741-302.A – Lots:</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>	<p><b>Not Satisfied</b></p>
	<p>741-302.B – Frontage and Access:</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>	<p><b>Satisfied</b></p>

	<p>741-302.C – Blocks:</p> <ul style="list-style-type: none"> <li>• Shall not exceed maximum block lengths per Table 741-302.1</li> <li>• If exceeded, it must be demonstrated that: <ul style="list-style-type: none"> <li>○ There are improved pedestrian easements at intervals of 400 feet or less.</li> <li>○ Adequate traffic calming provisions are made.</li> <li>○ The block length must be exceeded because of physical conditions of the land.</li> </ul> </li> </ul>	<p><b>Satisfied</b></p>
<p>741-303 Streets and Connectivity</p>	<p>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.</p>	<p><b>EVALUATION</b></p>
	<p>741-303.A – General:</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>	<p><b>Satisfied</b></p>
	<p>741-303.B – Through Connectivity (Metro Context Area):</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>	<p><b>Satisfied</b></p>
	<p>741-303.D – Cul-de-sacs (Metro Context Area):</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>	<p><b>Satisfied</b></p>

741-304-316

Additional  
 Development Items

EVALUATION

	<p>741.304.A-C – <i>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>	<p><b>Not Satisfied</b></p>
	<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>	<p><b>Addresses not submitted</b></p>
	<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>	<p><b>Satisfied</b></p>
	<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>	<p><b>Satisfied</b></p>
	<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>	<p><b>Not Satisfied</b></p>
	<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>	<p><b>Satisfied</b></p>

	<p>741.313 – Flood Control:</p> <ul style="list-style-type: none"> <li>• All development shall comply with all provisions of Section 742-203 (Flood Control Zoning District).</li> <li>• Floodway and Floodway Fringe zones shall be delineated and labeled on the primary plat and the plat to be recorded.</li> <li>• For Zone AE areas, the plat must show the BFE topographic line.</li> <li>• For Zone A areas, the plat must show the delineation study with the floodway and floodway fringe lines shown on the FIRM maps.</li> </ul>	<p><b>Satisfied</b></p>
	<p>741.316 – Street Lighting:</p> <ul style="list-style-type: none"> <li>• All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</li> </ul>	<p><b>Not Satisfied</b></p>



EXHIBITS

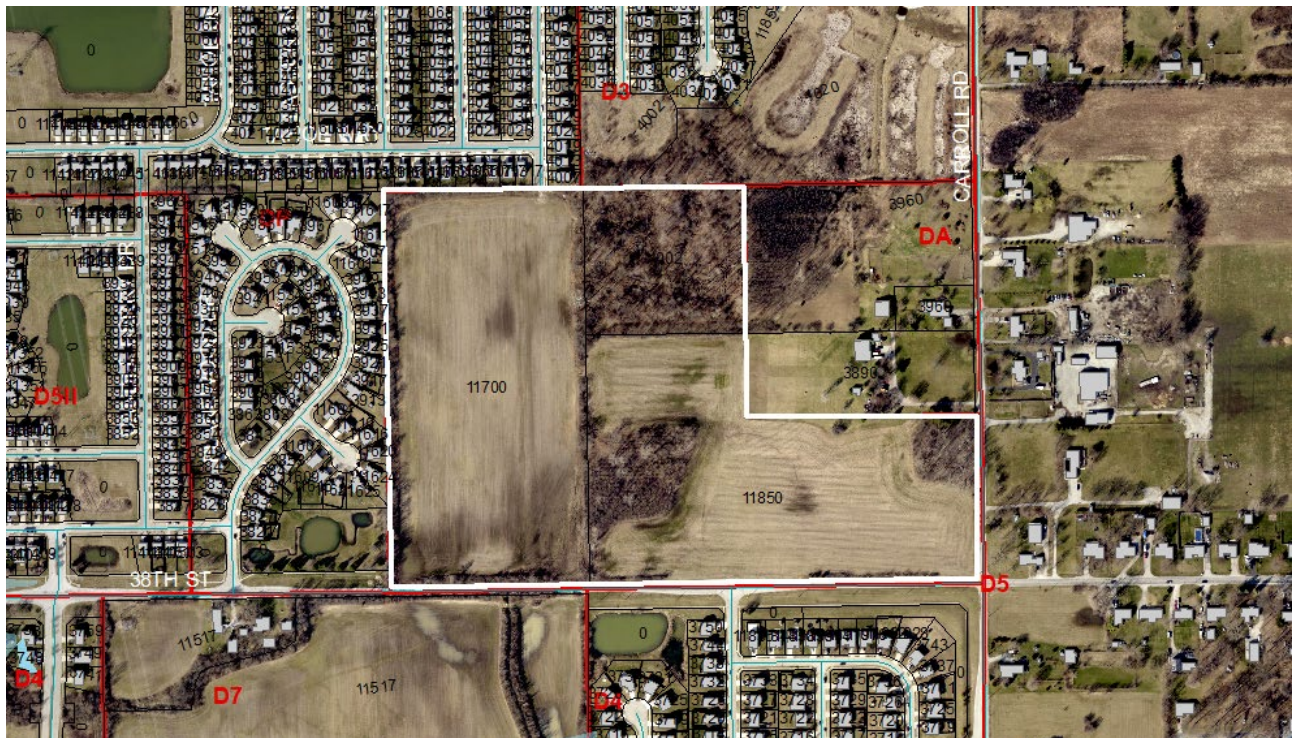
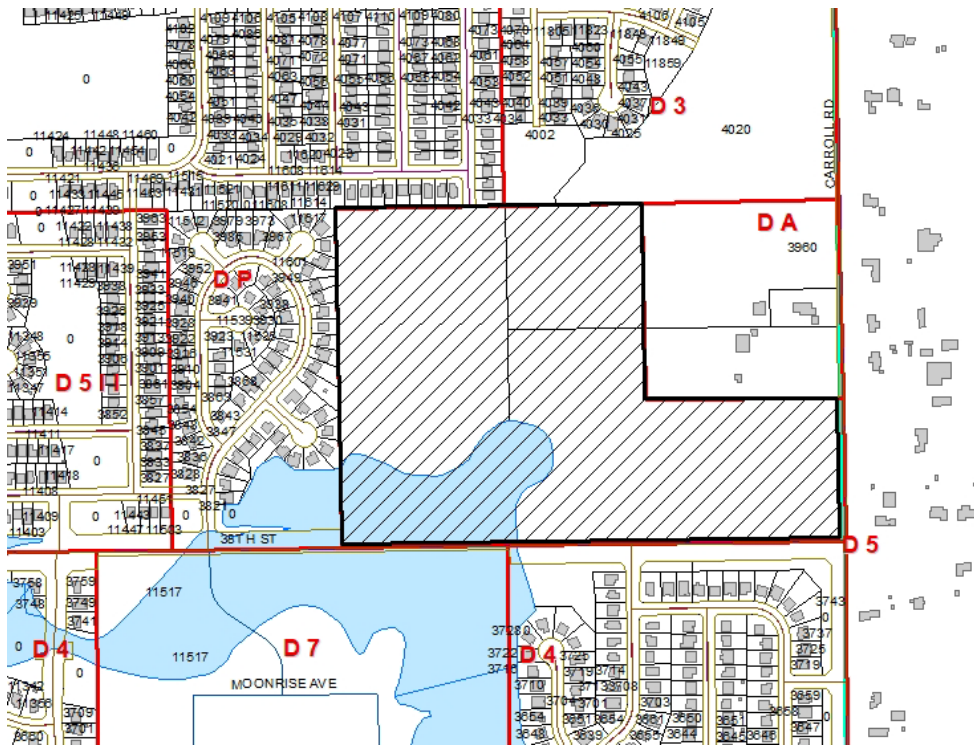












Figure 1 - Subject site looking northwest from 38th St



Figure 2 - Subject site looking northeast from 38th St



*Figure 3 - Stub of Denali Street from the north*