

**PLAT COMMITTEE**

**November 9, 2022**

**Case Number:** 2022-PLT-048 (Amended)  
**Property Address:** 7320 East Hanna Avenue (Approximate Address)  
**Location:** Franklin Township, Council District #18  
**Petitioner:** M/I Homes of Indiana LP, by Michael Reeve  
**Zoning:** D-3  
**Request:** Approval of a Subdivision Plat, to be known as Grayson, dividing 78.74 acres into 178 lots, with a waiver of the requirement to connect to an existing public street to the north.  
**Waiver Requested:** Street Connection  
**Current Land Use:** Undeveloped  
**Staff Reviewer:** Linda Ahlbrand, Principal Planner II

**PETITION HISTORY**

This petition was continued from September 14, 2022 to October 12, 2022 to allow time for the petitioner to redesign the layout of the subdivision. It was continued from October 12, 2022, after a full hearing, at the request of the petitioner.

**STAFF RECOMMENDATION**

Staff recommends that the Plat Committee **approve** and find that the plat, file-dated October 3, 2022, 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 waiver request to have no street connection be denied and Nollan Drive be widened to meet public street construction standards.
13. That rezoning petition 2022-CZN-830 be approved by the City-County Council.

## **PETITION OVERVIEW**

### **HISTORY**

This plat was originally submitted with a waiver request to have a street block length longer than what it permitted. The overall design of the subdivision has been revised to remove the need for that particular waiver. A different waiver for street connection is now being requested with the revised proposal.

### **SITE PLAN AND DESIGN**

This request would provide for the subdivision of 78.74 acres into 178 lots, to be known as Grayson. The subject site was rezoned to the D-3 classification in 2021 (2021-ZON-075). Furthermore, a variance was granted (2021-VAR-012) to provide for reduced lot sizes and widths. Additional petitions to include a five-acre parcel (2022-CZN/CVR/CAP-830), originally excluded from the 2021 petition, is currently pending before the Metropolitan Development Commission. The lots of the proposed plat would be consistent with the approved/pending rezoning commitments, the approved/pending variances, the D-3 District and the Subdivision Regulations.

### **STREETS**

This subdivision would gain access to Hanna Avenue to the south and Fisher Road to the east with two new access points. All of the proposed interior streets would meet the ordinance requirements with regard to length and number of local streets needed to access any one lot.

### **STREET CONNECTION TO THE NORTH (NOLLAN DRIVE AND SADLIER DRIVE)**

The Ordinance requires all new subdivisions that abut an existing public street to provide a connection to that public street. There are two existing public streets abutting to the north of

the subject site that were dedicated via a 1956 survey. Nollan Drive is a 25-foot east-west right-of-way that runs along the north property line for approximately 365 feet connecting to Fisher Road. Sadlier Drive connects with the west end of Nollan Drive and intersects perpendicularly with the subject site.

The petitioner has submitted two separate plat proposals – one showing compliance with the street connection requirements and one showing a cul-de-sac that does not connect. The petitioner has indicated that while they would prefer to develop the cul-de-sac without the street connection, they have shown how it would be developed if the street connection is required. Staff would note that the rezoning petition, which included a traffic study, was approved with a conceptual site plan with showed no connection to the north.

There are several purposes to requiring street connection between adjacent neighborhoods. The first is safety. Providing several access points into a neighborhood is desirable should any of the other access points become blocked or unusable.

The second reason is for easier interconnectivity for school buses, mail trucks and other delivery vehicles. It is much easier to plan a bus route or delivery route if the vehicle does not have to continually go back out to the perimeter roads. It is also safer for those vehicles since they do not have to make as many turns onto the busier, fast moving perimeter roads.

DPW has reviewed the proposed connection to the existing streets to the north in relation to the existing traffic and the traffic study submitted with the rezoning. DPW found no significant traffic concerns would be created with the connection to the streets to the north. Additionally, they would support the connection for the reasons stated above.

## **SIDEWALKS**

Sidewalks are required along all perimeter and interior streets.

## **GENERAL INFORMATION**

<b>Existing Zoning</b>	D-3	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Suburban Neighborhood / Linear Park	
<b>Surrounding Context</b>	<b><u>Zoning</u></b>	<b><u>Land Use</u></b>
North:	D-A	Single-Family residential
South:	D-A	Single-Family residential
East:	D-A/SU-43	Single-Family residential
West:	D-A	Single-Family residential
<b>Thoroughfare Plan</b>		
Hanna Avenue	Primary Collector	30-foot existing and 80-foot proposed
Fisher Road	Primary Collector	40-foot existing and 80-foot proposed

Nollan Drive	Local Street	25-foot existing and 50-foot proposed
<b>Petition Submittal Date</b>	June 3, 2022	

## 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"> <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>	<b>Satisfied</b>
	<p><i>741-203.D – Traffic Control Plan</i></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>	<b>Satisfied</b>
	<p><i>741-203.E– Natural infrastructure plan (major plats containing more than 20 lots)</i></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>	<b>Satisfied</b>



	<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>Street connection waiver requested</p>
741-300 Design and Installation Standards	<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>	EVALUATION
	<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>Satisfied</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>Satisfied</p>

	<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>Satisfied</b>
<b>741-303 Streets and Connectivity</b>	<b>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.</b>	<b>EVALUATION</b>
	<p><b>741-303.A – General:</b></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>	<b>Satisfied</b>
	<p><b>741-303.B – Through Connectivity (Metro Context Area):</b></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>	<b>Not Satisfied/ Waiver Requested</b>
	<p><b>741-303.D – Cul-de-sacs (Metro Context Area):</b></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>	<b>Satisfied</b>

741-304-316

Additional  
Development Items

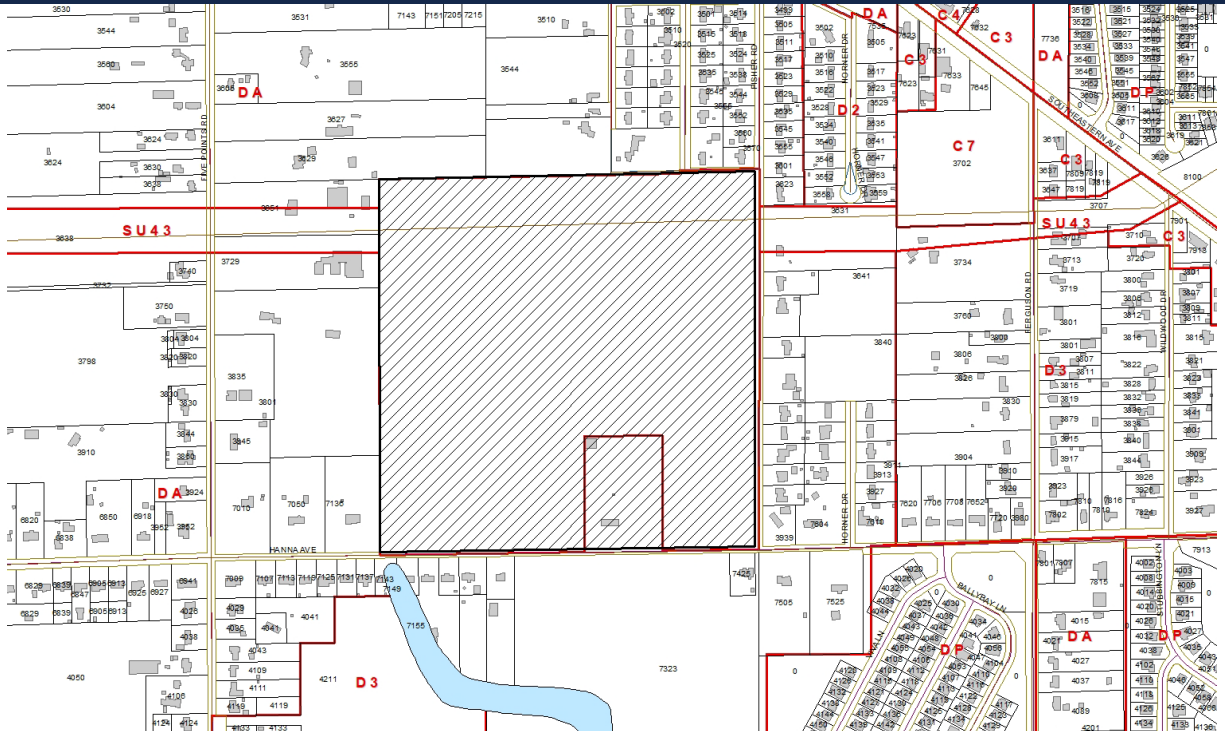
EVALUATION

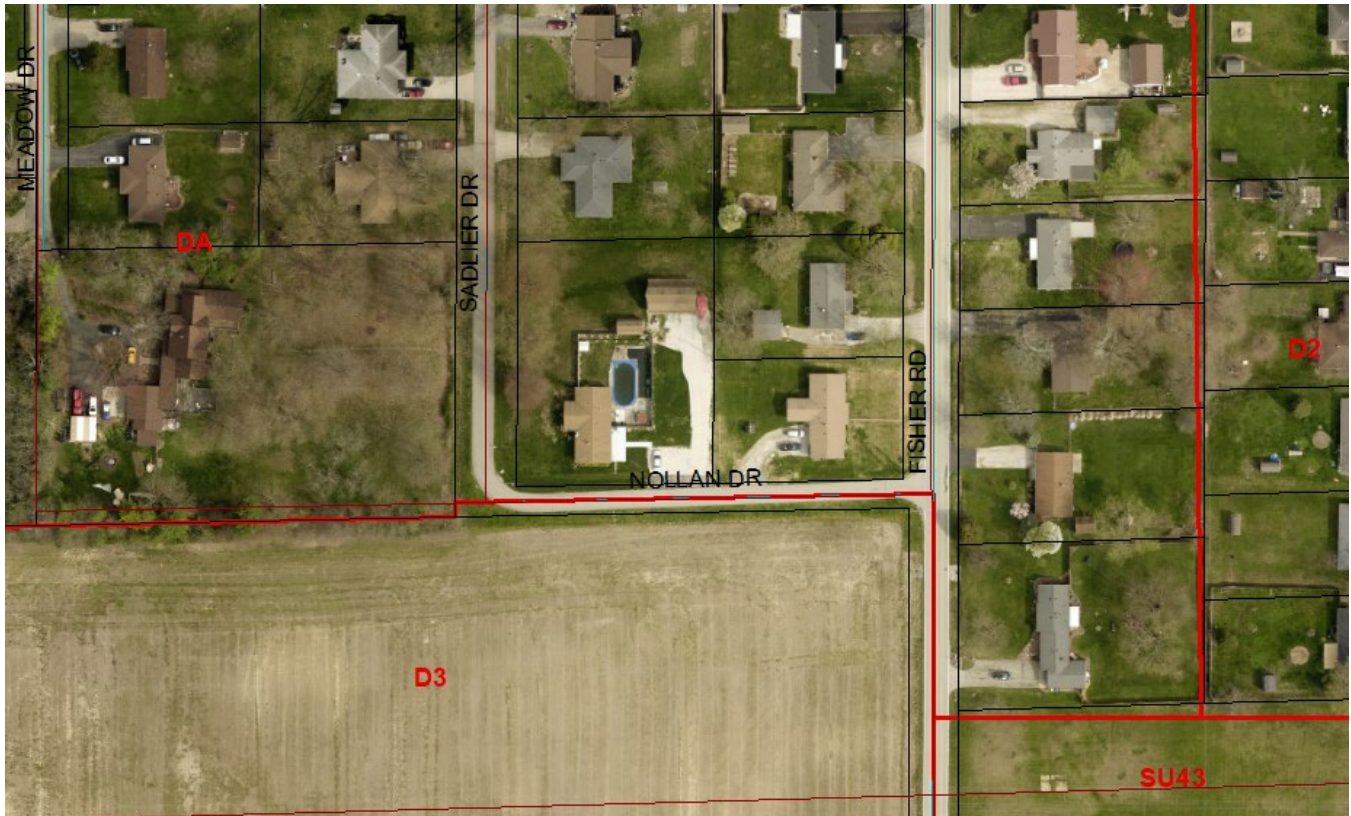
741.304.A-C – <i>Traffic Control Devices:</i>	<ul style="list-style-type: none"> <li>• <i>Street name signs, traffic control signs, bike route signs.</i></li> <li>• <i>Traffic control devices for streets exceeding 900 feet in length.</i></li> <li>• <i>Bicycle Facilities for subdivisions with a collector street serving more than 100 dwelling units.</i></li> </ul>	<b>Satisfied</b>
741.305 – <i>Numbering and naming:</i>	<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>Addresses not submitted</b>
741.306 – <i>Sidewalks:</i>	<ul style="list-style-type: none"> <li>• <i>Sidewalks shall be provided along all internal and external streets.</i></li> </ul>	<b>Satisfied</b>
741.307-309 – <i>Easements, Utilities, Stream Protection Corridors:</i>	<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>
741.310 – <i>Common Areas, Open Space and Public Sites (Compact Context Area):</i>	<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>Satisfied</b>
741-312 – <i>Monuments</i>	<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><b>741.313 – Flood Control:</b></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>	<p><b>Satisfied</b></p>
	<p><b>741.316 – Street Lighting:</b></p> <ul style="list-style-type: none"> <li>• <i>All subdivisions must be designed and constructed in accordance with the Street Lighting requirements of Section 744-600 (Street and Exterior Lighting).</i></li> </ul>	<p><b>Not submitted</b></p>



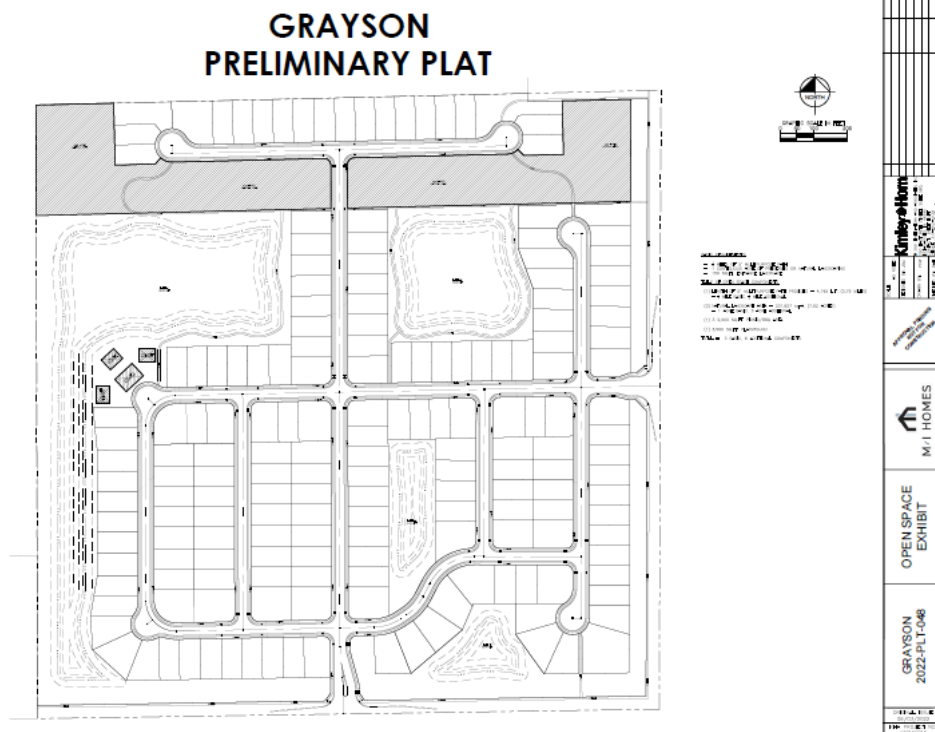
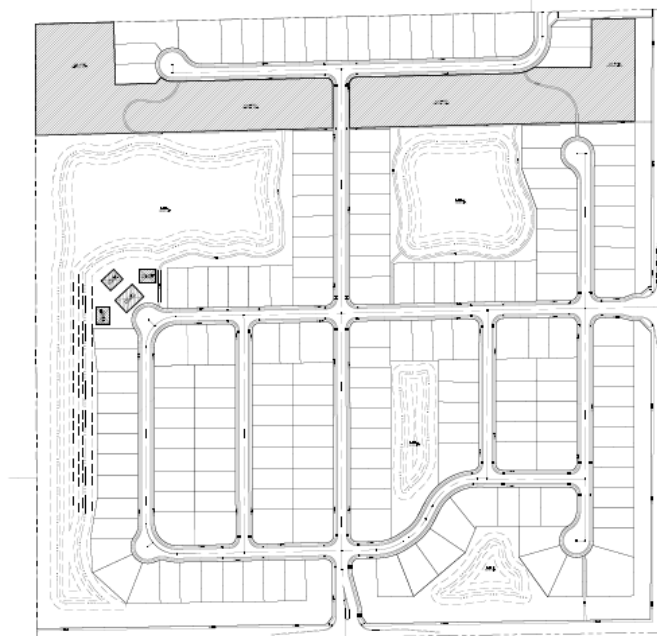
**EXHIBITS**



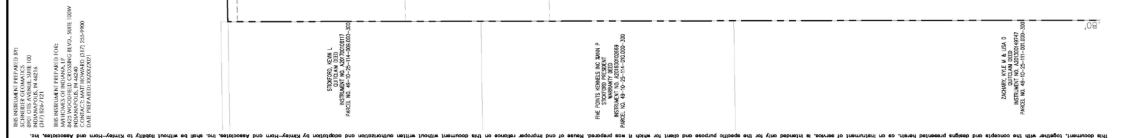


Close-up aerial of Nollan Drive and Sadlier Drive

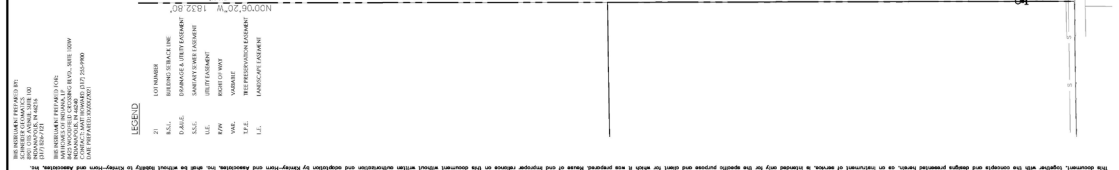




### Layout without street connection















*Figure 1 - Fisher Road looking south - Nollan Drive to the right*



*Figure 2 - Nollan Drive looking east towards Fisher Road*





*Figure 3 - Nollan Drive looking west*



*Figure 4 - Intersection of Nollan Dr and Sadlier Dr looking northwest*