



ADVISORY PLAN COMMISSION STAFF REPORT

Application No: 2022-APC-06

Meeting Date: May 24, 2022

Subject: Secondary Plat

Summary: Petitioner requests secondary plat approval for the subdivision of approximately 118.67 acres into 2 additional lots from the parent lot.

Petitioner: Dan Keers – ARK PARK, LLC

Location: Southeastern quadrant of I-74 and Jeff Gordon. Located at corner of Jeff Gordon Blvd & Progress Way

Parcel Size: 118.67 acres

Existing Zoning: HB – Highway Business & Jeff Gordon Overlay District

Recommendation: Approve

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Procedure

The process of dividing land into smaller, developable lots is accomplished with a subdivision plat. While this is most thought of regarding a residential subdivision, land is also subdivided for commercial or industrial purposes. The subdivision process is controlled by Indiana Code § 36-7-4-700. Per statute, the subdivision review process is broken into two parts: Primary Plat and Secondary Plat. The Plan Commission has exclusive authority in the review and approval of all subdivisions covered by the Unified Development Ordinance (UDO).

The primary plat is the initial plat and supporting documentation showing the proposed layout of the subdivision given the standards of the UDO. Before approving or denying a primary plat, the Plan Commission must advertise and hold a public hearing. If the primary plat meets the requirements of the UDO, it should be approved. As part of the application, the applicant may request a waiver(s) from standards fixed in the UDO. As a condition of granting a waiver, the Plan Commission may allow or require a commitment to be made.

Following approval of the primary plat, the applicant may request approval of the secondary plat. The secondary plat includes the final layout and dimensions of the lots that will be created. Construction plans for proposed improvements including site grading, streets and sidewalks, sanitary sewers, storm sewers, and water infrastructure are also submitted with the secondary plat. The Plan Commission approves all secondary plats, but no public hearing is held.

Background

This summary is not intended to cover the entire history of this project/site with the Town. The property was previously zoned in the Planned Unit Development (PUD) district, but after a period of inactivity, the property was returned to the Highway Business (HB) and Jeff Gordon Overlay District. The HB and Jeff Gordon Overlay District remains in place and this petition does not seek to change that zoning. Much of the water, sewer, and stormwater infrastructure to serve a portion of the subject property was installed when the property was zoned PUD. Similarly, grading and roadway subbase has been installed. This subdivision petition remains consistent with the roadway and infrastructure design and installation that has been done to date. This infrastructure has never been connected to the Town's systems.

The applicant filed for development plan review for two commercial lots on a portion of the subject property on April 18, 2022. The building commissioner and staff planner provided comments to the engineer on 4.29.2022. The engineer submitted an updated plat on May 4, 2022. A Technical Advisory Committee (TAC) meeting was held on May 6, 2022. At the meeting, the applicant's engineer was reminded of the acceleration lane even though it isn't shown on the plan as well as the trail. He was also reminded to show the 6 feet sidewalks. An updated plat was submitted on May 17, 2022.

Correspondence

Secondary plat applications do not require a public hearing and as such, public notice is not published or sent to neighboring property owners.

Summary

Technical Advisory Committee:

- The TAC Report is included as Attachment 3.
- All comments have been addressed in the updated plat dated May 17, 2022.

Waivers:

None requested.

Secondary Plat Standards:

Plans comply.

Zoning District Standards:

Plans comply.

Attachments

1. Secondary Plat Application
2. Secondary Plat
3. Technical Advisory Committee Report

Recommendation

Staff recommends **approval** of the secondary plat for secondary plat for One West Business Park Lots B1 & B2. Before the plat is signed by the President and Secretary of the Plan Commission and recorded, the applicant shall:

1. File a performance bond or irrevocable letter of credit with the Town Council in accordance with the provisions of Section 9.13 of the Unified Development Ordinance if the required improvements of the subdivision have not been completed; or
2. Submit a final inspection report identifying improvements as approved and ready for acceptance by the Town.

Motions

1. Motion to approve the secondary plat for One West Business Park Lots B1 & B2, subject to the aforementioned conditions.
2. Motion to deny the secondary plat for One West Business Park Lots B1 & B2 (specify deficiencies).

3. Motion to continue Application 2022-APC-06 to the June 28, 2022 Advisory Plan Commission Meeting.