# PLAN COMMISSION
# STAFF REPORT

| | | |
|---|---|---|
| **ITEM NO:** | **4** | **APPLICATION NO. 0135-2018** |
| **MEETING DATE:** | **September 17, 2019** | |
| **SUBJECT:** | Primary Plat | |
| **PETITIONER(S):** | Amanda Bick (Owner) and Miller Surveying, Inc. (Nathan Althouse) | |
| **SUMMARY:** | Two-Lot Primary Plat | |
| **LOCATION:** | 10201 East 191st Street | |
| **WAIVERS REQUESTED:** | None | |
| **RECOMMENDATION:** | Approval | |
| **PREPARED BY:** | Joyceann Yelton, Senior Planner<br>jyelton@noblesville.in.us<br>317-776-6325 | |

## *Planning Terms*

***Primary Plat*** – A preliminary drawing or drawings, described in these regulations which indicates the proposed manner or layout of the subdivision to be submitted to the Plan Commission for approval.

***Condition*** – A restrictive or modifying factor that is essential to the occurrence of something else.

## *Procedure*

The application was filed July 27, 2018 for a public hearing at the September 17, 2018 Plan Commission meeting. The Plan Commission hears the evidence presented by Staff, applicant/owner, and any individuals in the audience wishing to speak for or against the proposed plat or to just ask questions. The Plan Commission is the final authority over primary plats. As the platted process is ministerial, if the requirements of the Unified Development Ordinance are met, the Plan Commission is bound by State Statute to approve the primary plat. The Plan Commission has the authority to modify the proposal and/or attach conditions to their approval. Prior to the public hearing before the Commission, a published legal notice is advertised in the newspapers and public hearing notices are sent to the surrounding property owners per the adopted Rules of Procedure and have satisfactorily been completed. Beginning with the filing deadline date, the overall process is approximately 70-75 days provided there are no continuances.

## *Correspondence*

Staff has received a few telephone calls in regards to what is happening on this parcel.

## *Summary*

This site is located east of State Road No. 37 and is southof 191st Street. It is across the street from the #5 Fire Station and across the street form Meadow's Glen Subdivision. This property currently has a single-residential structure on it. The applicants are proposing to subdivide the 3.5-acre parcel so as to have the availability to construct another single-family residential structure on the other lot being created by this plat. **(Aerial Photograph – Exhibit 1)** The property is currently zoned "R1 Single-Family Residential". The primary plat does indicate the existing structures, easements and dedication of right-of-way along East 191st Street to meet the thoroughfare plan requirements which had already been dedicated to the Hamilton County in 2007. If the applicant chooses to construct a new single-family residential structure, it would be placed on City sanitary sewer service. This property which is currently the City's zoning jurisdicational area is not within the corporate limits. An annexation applicant has been filed

to complete the process of being able to extend sanitary sewer service to the site. The two lot subdivision will be known as "Brendonwood Estates". **(Primary Plat – Exhibit 2)**

## *History*

- None

| Item | Description | Analysis |
|---|---|---|
| ***Surrounding Land Uses*** | ***North*** *– Meadows Glen Subdivision*<br>***South*** *– Single-Family Residences in the township and agricultural use*<br>***East*** *-Agricultural use*<br>***West*** *– White River Elementary School* | *The surrounding land uses are either institutional uses or residential.* |
| ***Comprehensive Master Plan and Future Land Use*** | *Mixed Density Single-Family Residential* | *These areas incorporate a variety of single-family dwellings into an overall project.* |
| ***Traffic Circulations and Thoroughfare Plan*** | *State Road No. 37*<br>*191st Street* | *Primary Arterial*<br>*Secondary Arterial* |
| ***Environmental and Utility Considerations*** | *NA* | *NA* |
| ***TAC Comments*** | *NA* | *Engineering and Planning both had comments that must be addressed at the final construction plans and secondary plat* |

## *Fiscal Analysis*

Non-applicable

## *Attachments*

**Exhibit 1** Aerial Photograph

**Exhibit 2** Primary Plat

## *Recommendation*

The plat as presented meets the requirements of the Unified Development Ordinance regarding the adopted standards. Staff supports the approval of the primary plat as it is compatible with the surrounding land uses.

***Motions***

1. Motion to approve the Primary Plat for Application No. 0135-2018 as submitted.

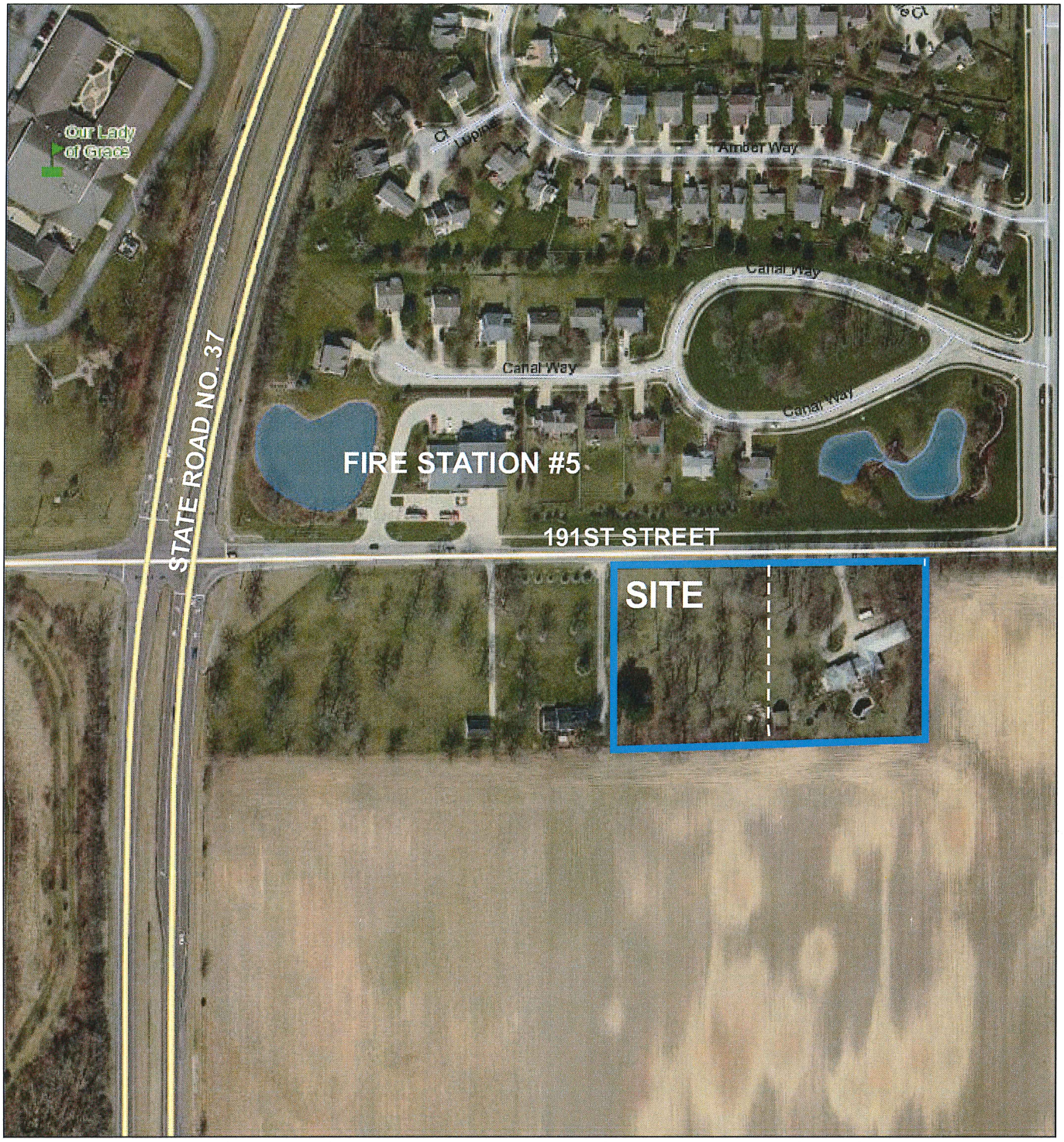
2. Motion to deny the Primary Plat for Application No. 0135-2018 (Provide reasons)

3. Motion to continue Application No. 0135-2018 until ___(date)___ meeting.

   *October 15, 2018 meeting or November 15, 2018 meeting*

# BRENDONWOOD ESTATES

# EXHIBIT 1




September 13, 2018

1:2,760

0 0.0225 0.045 0.09 mi

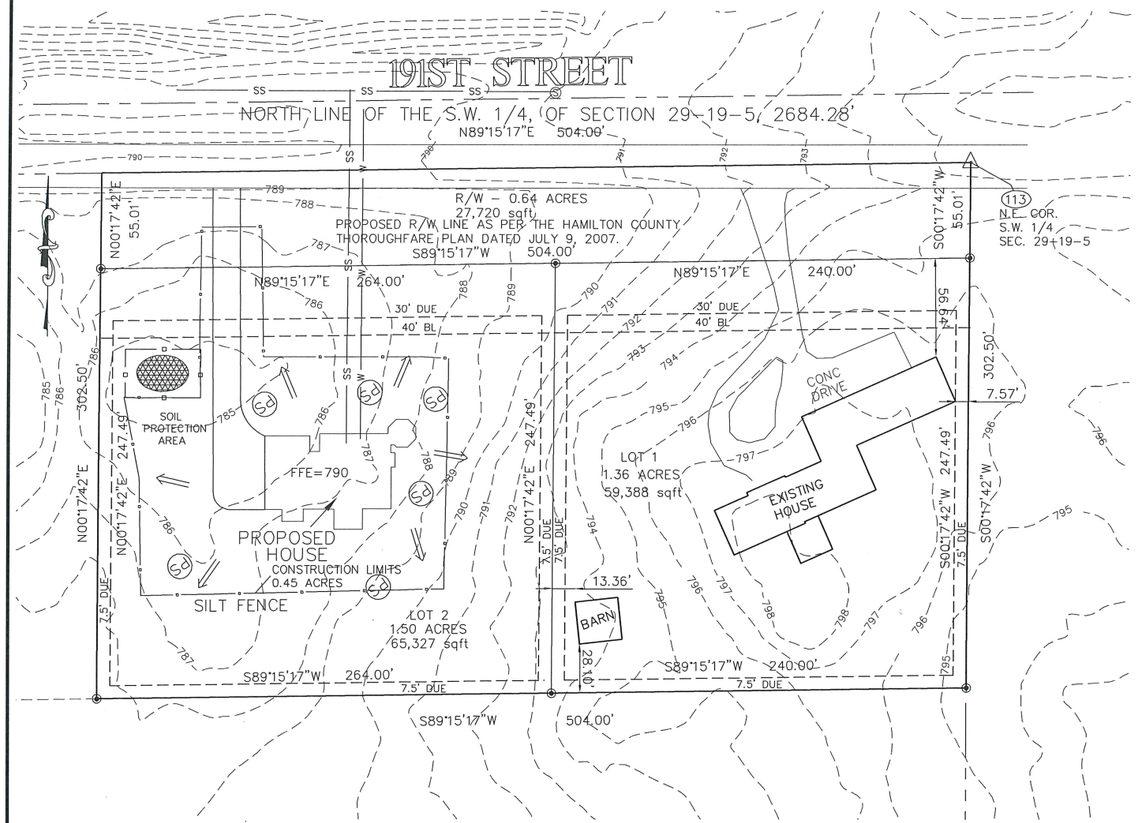
0 0.035 0.07 0.14 km

Basemap information here

# PRIMARY PLAT

## BRENDONWOOD ESTATES

**PART OF THE S.W. QUARTER, SECTION 29, TOWNSHIP 19 NORTH, RANGE 5 EAST**
**NOBLESVILLE TOWNSHIP, HAMILTON COUNTY, INDIANA**




## LAND DESCRIPTION

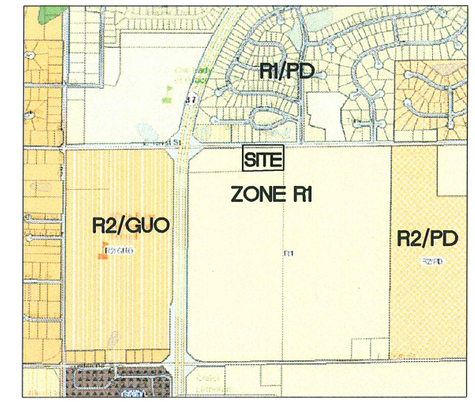
DESCRIPTION OF REAL ESTATE PER INSTRUMENT No. 2018030073

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 19 NORTH, RANGE 5 EAST, IN HAMILTON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 19 NORTH, RANGE 5 EAST; THENCE SOUTH ON AND ALONG THE EAST LINE OF SAID EAST HALF 302.50 FEET; THENCE WEST PARALLEL WITH THE NORTH LINE OF SAID EAST HALF 504.00 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID EAST HALF 302.50 FEET TO THE NORTH LINE THEREOF; THENCE EAST ON AND ALONG AFORESAID NORTH LINE 504.00 FEET TO THE PLACE OF BEGINNING, CONTAINING 3.5 ACRES, MORE OR LESS.

## ZONING MAP

NOT TO SCALE




## SORMWATER POLLUTION POEVENTION PLAN AND DETAILS

**SEASONAL SOIL PROTECTION CHART**

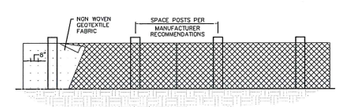
| STABILIZATION PRACTICE | JAN. | FEB. | MAR. | APR. | MAY | JUNE | JULY | AUG. | SEPT. | OCT. | NOV. | DEC. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| PERMANENT SEEDING | | | A | | | | | | | | | |
| DORMANT SEEDING | B | | | | | | | | | | B | |
| TEMPORARY SEEDING | | | C | | E | | | D | | | | |
| SODDING | | | | F** | | | | | | | | |
| MULCHING | G | | | | | | | | | | | |

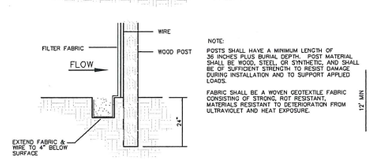
A = KENTUCKY BLUEGRASS 100 LBS./ACRE; CREEPING RED FESCUE 100 LBS./ACRE; PLUS 2 TONS STRAW MULCH/ACRE, OR ADD ANNUAL RYEGRASS 20 LBS./ACRE
B = KENTUCKY BLUEGRASS 120 LBS./ACRE; CREEPING RED FESCUE 120 LBS./ACRE; PLUS 2 TONS STRAW MULCH/ACRE, OR ADD ANNUAL RYEGRASS 30 LBS./ACRE
C = SPRING OATS 3 BUSHELS/ACRE
D = WHEAT OR RYE 2 BUSHELS/ACRE
E = ANNUAL RYEGRASS 40 LBS./ACRE ( 1 LB/1000 SQ. FT. )
F = SOD
G = STRAW MULCH 2 TONS/ACRE
*/\/* = IRRIGATION NEEDED DURING JUNE, JULY, AUGUST AND/OR SEPTEMBER
** = IRRIGATION NEEDED FOR 2 TO 3 WEEKS AFTER SUPPLYING SOD

SEEDBED PREPARATION FOR PERMANENT SEEDING:

1. TEST SOIL TO DETERMINE pH AND NUTRIENT LEVELS. (CONTACT COUNTY SWCD OR COOPERATIVE EXTENSION OFFICE FOR ASSISTANCE AND SOILS INFORMATION, INCLUDING AVAILABLE TESTING SERVICES.)
2. IF SOIL pH IS UNSUITABLE FOR THE SPECIES TO BE SEEDED, APPLY LIME ACCORDING TO TEST RECOMMENDATIONS.
3. FERTILIZE AS RECOMMENDED BY THE SOIL TEST. IF TESTING WAS NOT DONE, CONSIDER APPLYING 400-600 lbs/ACRE OF 12-12-12 ANALYSIS, OR EQUIVALENT, FERTILIZER.
4. TILL TOP SOIL TO OBTAIN A UNIFORM SEEDBED, WORKING THE FERTILIZER AND LIME INTO THE SOIL 2-4 INCHES DEEP WITH A DISK OR A RAKE OPERATED ACROSS THE SLOPE.

RULE 5 REQUIRES ALL DISTURBED AREAS LIKELY TO BE IDLER FOR 15 DAYS SHALL HAVE SURFACE STABILIZATION APPLIED. WHEN WEATHER CONDITIONS PREVENT RAPID GERMINATION OF GRASS, THEN 2T/AC MULCH WILL BE USED TO ENSURE GROUND STABILIZATION REQUIREMENTS ARE MET.



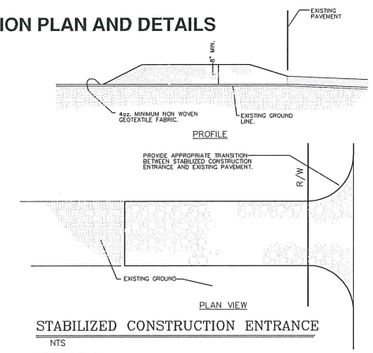




### SILT FENCE CONSTRUCTION

NTS

MAINTENANCE:

INSPECT THE SILT FENCE PERIODICALLY AND AFTER EACH STORM EVENT. IF FENCE FABRIC TEARS, STARTS TO DECOMPOSE, OR IN ANY WAY BECOMES INEFFECTIVE, REPLACE THE AFFECTED PORTION IMMEDIATELY. REMOVE DEPOSITED SEDIMENT WHEN IT REACHES HALF THE HEIGHT OF THE FENCE AT ITS LOWEST POINT OR IS CAUSING THE FABRIC TO BULGE. TAKE CARE TO AVOID UNDERMINING THE FENCE DURING CLEANOUT. AFTER THE CONTRIBUTING DRAINAGE AREA HAS BEEN STABILIZED REMOVE THE FENCE AND SEDIMENT DEPOSITS, BRING THE DISTURBED AREA TO GRADE, AND STABILIZE.




### STABILIZED CONSTRUCTION ENTRANCE

NTS

MAINTENANCE:

INSPECT ENTRANCE PAD AND SEDIMENT DISPOSAL AREA WEEKLY AND AFTER EACH STORM EVENT OR HEAVY USE. RESHAPE PAD AS NEEDED FOR DRAINAGE AND RUNOFF CONTROL. TOP DRESS WITH CLEAN STONE AS NEEDED. IMMEDIATELY REMOVE MUD AND SEDIMENT TRACKED OR WASHED ONTO PUBLIC/PRIVATE ROADS BY BRUSHING OR SWEEPING. FLUSHING SHOULD ONLY BE USED IF WATER IS CONVEYED INTO A SEDIMENT TRAP OR BASIN. REPAIR ANY BROKEN ROAD PAVEMENT IMMEDIATELY.

EROSION CONTROL NOTES:

1. LAND ALTERATION WHICH STRIPS THE LAND OF VEGETATION, INCLUDING REGRADING, SHALL BE DONE IN A WAY THAT WILL MINIMIZE EROSION.
2. CONTRACTOR SHALL COMPLY WITH ALL STATE AND LOCAL ORDINANCES THAT APPLY.
3. THIS PLAN SHALL NOT BE CONSIDERED ALL INCLUSIVE AS THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT SOIL SEDIMENT FROM LEAVING THE SITE.
4. ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED IF DEEMED NECESSARY BY ON SITE INSPECTION.
5. SEDIMENT LADEN WATER SHALL BE DETAINED BY EROSION CONTROL PRACTICES AS NEEDED TO MINIMIZE SEDIMENTATION IN THE RECEIVING STREAM. NO STORM WATER SHALL BE DISCHARGED FROM THE SITE IN A MANNER THAT CAUSES ERCSION AT THE POINT OF DISCHARGE.
6. WASTES AND UNUSED BUILDING MATERIALS SHALL NOT BE ALLOWED TO BE CARRIED FROM THE SITE BY STORM WATER RUNOFF. PROPER DISPOSAL OF ALL WASTES AND UNUSED BUILDING MATERIALS IS REQUIRED.
7. SEDIMENT BEING TRACKED ONTO PUBLIC OR PRIVATE ROADWAYS SHALL BE MINIMIZED. CLEARING OF ACCUMULATED SEDIMENT SHALL NOT INCLUDE FLUSHING WITH WATER. CLEARED SEDIMENT SHALL BE RETURNED TO THE SITE FOR DISPOSAL.
8. SOIL WHICH HAS ACCUMULATED NEXT TO EROSION CONTROL DEVICES SHALL BE COLLECTED AND RE-DISTRIBUTED ON SITE AFTER EACH RAINFALL EVENT, AND AT LEAST ONCE A WEEK.
9. IF INSTALLATION OF STORM DRAINAGE SYSTEM SHOULD BE INTERRUPTED BY WEATHER OR NIGHTFALL, THE PIPE ENDS SHALL BE COVERED WITH FILTER FABRIC.
10. ALL EXISTING STRUCTURES, FENCING, TREES AND ETC., WITHIN CONSTRUCTION AREA SHALL BE REMOVED AND DISPOSED OF OFF SITE. BURNING IS NOT ALLOWED ON SITE. (HOMEOWNER SHALL CLEARLY MARK ANY EXISTING TREES OR STRUCTURES THEY INTEND TO KEEP)

THE WITHIN PLAT AND SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE POLICY AND ARE THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY EXAMINATION OF SCHEDULE "A" AND SCHEDULE "B" OF A TITLE POLICY.

THIS SURVEY PLAT HAS BEEN PREPARED FOR USE ON THIS PARTICULAR PROJECT AND FOR THE EXCLUSIVE USE OF THE PERSON(S) OR ENTITY HEREON NAMED AND IS NOT CERTIFIED TO OR TO BE USED BY ANY OTHER PARTY. THE EVIDENCE, POSSESSION, OWNERSHIP, CONDITIONS ETC. COULD CHANGE CONSTANTLY AND THE USE OF THIS SURVEY IS LIMITED ONLY TO THE DATE INDICATED HEREIN.

THE LOCATION OF THE TITLE LINES AND CORNERS ARE SUBJECT TO THE EVIDENCE FOUND IN THE PERFORMANCE OF THIS SURVEY. ADDITIONAL EVIDENCE PRESENTED TO MILLER SURVEYING, INC. MAY ALTER THE LOCATION OF THE TITLE LINES AND CORNERS.

NOTE:
ALL STORMWATER POLLUION PREVENTION PLAN AND DETAILS WILL BE INSTALLED AT THE TIME OF EACH CUSTOM HOME SITE GOES THOURGH THE SITE PLAN AND PERMIT PROCESS.

ALL HOMES, DRIVES, WELLS, SEPTICE AREA, AND SOIL PROTECTION AREA ARE PROPOSED LOCATION AND WILL BE DEFINED AT THE TIME OF THE OF THE HOME CONSTRUCTION PERMIT PROCESS.

BRENDONWOOD IS NOT PROPOSING ANY ROAD IMPROVEMENTS

LOTS ARE CUSTOM HOMES STIE AND THE IMPROVEMENTS WILL BE WILL BE DEFINED AT THE TIME OF THE OF THE HOME CONSTRUCTION PERMIT PROCESS.

### ZONING

R1 – RESIDENTIAL

### OWNER / SUBDIVIDER / DEVELOPER

BRENDONWOOD 717 LLC
8035 CRAIG ST
INDIANAPOLIS, IN 46250

### SOURCE OF TITLE

BRENDONWOOD 717 LLC
INSTRUMENT No. 2018030073

THIS INSTRUMENT PREPARED BY:
K. NATHAN ALTHOUSE
MILLER SURVEYING, INC.
948 CONNER STREET
NOBLESVILLE, IND. 46060
Ph 773-2644 Fx 773-2694
DATE: 7/27/2018
Job No. B38014

GRAPHIC SCALE

0 25 50 100

SCALE : 1" = 50'

### BENCHMARK INFORMATION

HORIZONTAL AND VERTICAL CONTROL:

COORDINATE SYSTEM:
US STATE PLANE 1983 (AT GROUND)

PROJECT DATUM:
WORLD GEODETIC SYSTEM (WGS 1984)

VERTICAL DATUM
NAVD 88

ZONE:
INDIANA EAST 1301

GEOID MODEL:
GEOID03 (CONUS)

COORDINATE UNITS US SURVEY FEET
DISTANCE UNITS US SURVEY FEET
HEIGHT UNITS US SURVEY FEET

### FLOOD ZONE DEFINITION

| ZONE | EXPLANATION |
|---|---|
| "X" | AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN. |

THE SUBJECT PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY NATIONAL FLOOD INSURANCE PROGRAM AS PER SCALED INTERPRETATION OF FLOOD RATE MAP #18057C0155F & 18057C0165F. AREA IN ZONE "X" MAP DATED FEB. 19, 2003.

### UTILITY NOTE

THIS SURVEY REFLECTS ABOVE GROUND INDICATIONS OF EXISTING UTILITIES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

### LEGEND

R/W RIGHT-OF-WAY

⊙ 5/8" IRON ROD WITH YELLOW CAP STAMPED "MILLER S0083" SET

BSL BUILDING SET BACK LINE

DUE DRAINAGE AND UTILITY EASEMENT

CD = STABILIZED CONSTRUCTION DRIVE

PG = PERMANENT SEED / SOD IMMEDIATELY AFTER CONSTRUCTION

= DRAINAGE FLOW ARROW

I AFFIRM, UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THE DOCUMENT, UNLESS REQUIRED BY LAW.