



CITY OF FISHERS AGENDA

BOARD/COMMISSION: Plat Committee Meeting

DATE: 2/7/2024, at 4:00 PM

DIRECTIONS: Launch Fishers Theater , 12175 Visionary Way, Fishers, IN 46038

In accordance with the Americans with Disabilities Act (ADA), the City of Fishers will, upon request, provide appropriate aid (i.e. interpreters) and/or assistance leading to effective participation for people with disabilities. Anyone who requires such assistance should [email Kelly Lewark](#), Office Manager, no later than 48 hours before the scheduled event or call at (317) 595-3487.

Members of the public are encouraged to [submit comments to the board via form submittal](#) before 12 pm on the day of the meeting.

1. Call to order / Pledge of Allegiance

2. Roll Call

3. Approval of Previous Minutes

a. 12-6-23

4. Public Hearings

a. Marsh Brooks School Lot Split

Parcel: 19-11-34-00-21-004.000

Address: 12520 E 116th St

Case: PP-23-7 & SP-23-21

Request: Request to approve a Primary Plat of 2 lots on 7.81 acres, known as the Marsh Brooks School Subdivision property. Subject site is generally located north of E. 116th St and east of Brooks School Rd, with a common address of 12520 E 116th

St.

Petitioner: Tracy McGill (tmcgill@structurepoint.com)

Planner: Christy Cashin, Senior Planner (cashinc@fishers.in.us)

- 5. Old Business**
- 6. New Business**
- 7. Staff Communication**
- 8. Board Signatures – Findings of Fact**
- 9. Adjournment**

CITY OF FISHERS
Plat Committee
MINUTES
December 6, 2023

APPROVED

The Plat Committee was convened at 4:00 p.m. by Hatem Mekky at Launch Fishers.

A roll call was taken- members present: Hatem Mekky, Selina Stoller, Ross Hilleary

Members absent: None

Others present: Rodney Retzner, Kay Prange, Bre King

Previous Minutes of the 10-4-23 meeting were approved. Ms. Stoller made a Motion to approve, seconded by Mr. Hilleary. The Minutes were approved, 3-0.

MINOR PLATS

District South

Parcel: 15-14-01-02-12-001.000, 15-14-01-02-02-005.000, 15-14-01-02-02-006.000, 15-14-01-02-02-007.000, 15-14-01-02-02-008.000, 15-14-01-02-02-009.000, 15-14-01-02-02-010.000, & 15-14-01-02-02-011.000

Address: 8620 Morgan Drive, 8667, 8697, 8705, 8713, 8723, 8745 & 8757 South Street

Case: PP-23-6

Request: Request to approve a Primary Plat of 4 lots on 3.36 Acres known as District South. Subject site is located at south of South Street.

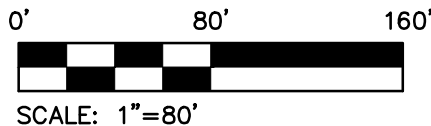
Petitioner: Karmen Deaton (karmen.deaton@kimley-horn.com)

Planner: Bre King, Senior Planner (kingb@fishers.in.us)

Bre King presented the Minor plat. The project is zoned VC and there are no waivers. It went to TAC on 10/23. The City owns one parcel (lot 4) and will keep for future connectivity. Staff recommends approval, on the condition that all TAC comments be addressed. Ms. Stoller asked if there was one possible future lot. The answer is yes, wait and see status.

Mr. Mekky asked for a Motion. Ms. Stoller made a Motion to approve, seconded by Mr. Mekky. The Motion was approved, 3-0.

The Meeting was adjourned at 4:07 PM.

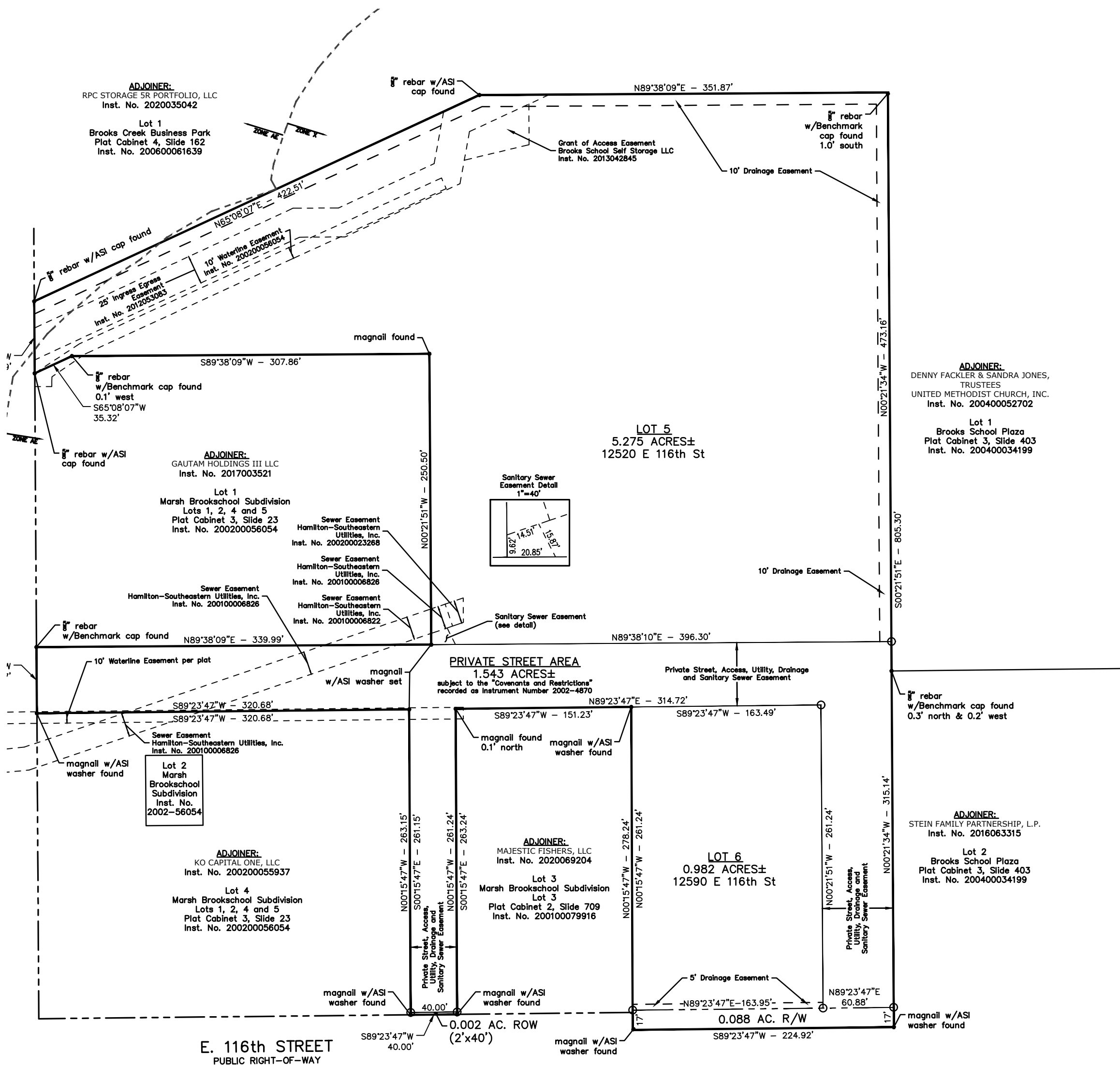


REPLAT OF LOT 5, MARSH BROOKSCHOOL SUBDIVISION PRIMARY PLAT

PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH,
RANGE 5 EAST, 2nd PM, HAMILTON COUNTY, INDIANA

LEGEND

- 5/8" DIA. REBAR WITH CAP STAMPED "ASI FIRM #0094" FOUND OR SET FLUSH, UNLESS OTHERWISE NOTED
- FOUND MONUMENT AS NOTED
- FLOODWAY/FLOOD ZONES SCALED FROM FIRM MAP 18057C0254G, dated 11/19/2014



PREPARED BY:
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OWNERS/SUBDIVIDERS:
FISHERS 116TH PROP 1 LLC
350 MASSACHUSETTS AVE STE 300
INDIANAPOLIS, IN 46204

ASI Project No:
2022.02964

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SHEET
1 of 2

REPLAT OF LOT 5, MARSH
BROOKSCHOOL SUBDIVISION
PRIMARY PLAT

PART OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 18 NORTH,
RANGE 5 EAST, 2nd PM, HAMILTON COUNTY, INDIANA

LEGAL DESCRIPTION

Lot 5 in Marsh Brookschool Subdivision, Lots 1, 2, 4 and 5, Secondary Plat, A subdivision in Hamilton County, Indiana as per plat thereof recorded August 7, 2002 in Plat Cabinet 3, Slide 23 as Instrument No. 200200056054 and corrected by Scrivener's Error recorded December 6, 2002 as Instrument No. 200200094671, and by Affidavit of Plat Correction recorded December 5, 2014 as Instrument No. 2014054813 in the Office of the Recorder of Hamilton County, Indiana.

SURVEYOR'S CERTIFICATE

I, Tracy L. McGill, hereby certify that:

The within Plat is a representation of the lands surveyed and platted under my direct supervision and control and that it is true and correct to the best of my knowledge and belief;

This subdivision consists of Lots 5, 6, rights-of-way and easements as shown on the within plat;

The size of the lots and widths of the streets and easements are shown in figures denoting feet and decimal parts thereof;

All monuments shown on the within plat actually exist and their location, size, type and material are accurately shown;

The boundary lines for this plat are based on the MARSH BROOKSCHOOL SUBDIVISION LOTS 1, 2, 4 AND 5 SECONDARY PLAT recorded as Instrument No. 200200056054 and the ALTA/NSPS Land Title Survey recorded as Instrument No. _____ in the Office of the Hamilton County Recorder.

Witness my signature this ____th day of _____, 2024

Tracy L. McGill
Professional Land Surveyor
Reg. No. LS20500009
State of Indiana

OWNERS CERTIFICATION

The undersigned, _____, Owner of Lot 5 shown and described herein and recorded in the Office of the Recorder of Hamilton County, Indiana, as Instrument Number 2023030296, does hereby certify that it has laid off, platted and subdivided and do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as Replat of Lot 5 in Marsh Brookschool Subdivision. All public rights-of-way shown and not heretofore dedicated are hereby dedicated to the public. In testimony whereof, witness the signature of the Owner and Declarant this ____ day of _____, 2024.

Fishers 116th Prop 1, LLC

By: _____

Name:

State of Indiana)
County of _____) SS:

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared _____, as manager of River Place, limited liability company and acknowledged the execution of the foregoing on behalf of said _____. Witness my hand and Notarial Seal this ____ day of _____, 2024.

My Commission Expires: _____ Signature
County of Residence: _____ Printed Name

COMMISSION CERTIFICATE OF APPROVAL

Under authority provided by Title 36, act of 1981, P.L. 309 enacted by the General Assembly of the State of Indiana, and all acts amendatory thereto an ordinance adopted by the Fishers Advisory Plan Commission.

Adpoted by the City of Fishers Plat Committe, a subcommittee of the Advisory Plan Commission on _____.

Ross Hilleary, Designee

Christy Cashin, Secretary

EASEMENTS & COVENANTS

All lots within this Subdivison are subject to the "Covenants and Restrictions" recorded as Instrument Number 2002-48709 in the Office of the Recorder of Hamilton County, Indiana.

No fence, wall, hedge, tree or shrub planting which obstructs sight lines and elevations between 2 and 8 feet above the public street shall be placed or permitted to remain on any corner lot within the triangular area formed by the street right-of-way lines and a line connecting points 25 feet from the intersection of said street lines or in the case of a rounded property corner, from the intersection of the street right-of-way lines extended.

All laterals constructed are private and are to be maintained by the property owner.

"Utility Easements" are created for the use of all public or private utility companies, including but not limited to sanitary sewers, gas, phone, electric, water, and cable television companies, but not including transportation companies, for the installation and maintenance of mains, ducts, poles, lines, wires, drains, pipes, and other utility installations for the purpose of furnishing utility services, and for ingress and egress thereto.

"Drainage Easements" are create for the use of the Developer and any governmental agency having jurisdiction over drainage and storm sewer systems to provide paths and courses and a system for natural area and local storm drainage, either overland or in appropriate underground installation to serve the needs of this and adjoining grounds and the public drainage system. Drainage Easements shall be used to grade, construct, operate, inspect, maintain, reconstruct, and remove mains, ducts, or other related structures of storm sewers that are part of said system, and for ingress and egress thereto. The owners of all lots are and shall be required to keep any areas of their lots designated for the natural flow of water unimpeded, and any improvements made on or under any such easements by the owner are and shall be at the risk of the property owner.

"Access Easements" are hereby created for ingress and egress over and across said easements for the exclusive use of the path to the designated location. Service vehicles, shall have the right to enter upon and use the access drives for ingress to and egress from the designated location in the performance of their duties.

"Sanitary Sewer Easements" are hereby created for the use of the Developer, and of the Utility, public or private, having jurisdiction over the sanitary waste disposal system. Sanitary Sewer Easements shall be used to construct, extend, operate, inspect, maintain, reconstruct, and remove mains, ducts, or other related utility structures of sanitary sewers that are part of said system, and for ingress and egress thereto.

"Private Street Easements": The Owner/Developer expressly covenants and warrants on behalf of itself and all future owners of lots within this subdivision that because the streets are private that all maintenance, repairs and replacement now and forever shall be undertaken at the expense of the lot owners in accordance with the terms and conditions set forth in "Covenants and Restrictions" recorded as Instrument Number 2002-48709. No governmental entity has any duty or responsibility to maintain, repair or replace any private street

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SHEET
2 of 2



Plat Committee Staff Report

Meeting Date: February 7, 2024

DEPARTMENT CONTACT:

Christy Cashin (cashinc@fishers.in.us)

CASE NUMBER:

PP-23-7

PETITIONER:

Tracy McGill (tmcgill@structurepoint.com)

PROPERTY ADDRESS/LOCATION:

12520 E 116th St

REQUEST: Request to approve a Primary Plat of 2 lots on 7.81 acres, known as the Marsh Brooks School Subdivision property. Subject site is generally located north of E. 116th St and east of Brooks School Rd, with a common address of 12520 E 116th St.

APPLICABLE REGULATIONS:

Unified Development
Ordinance

EXISTING ZONING:

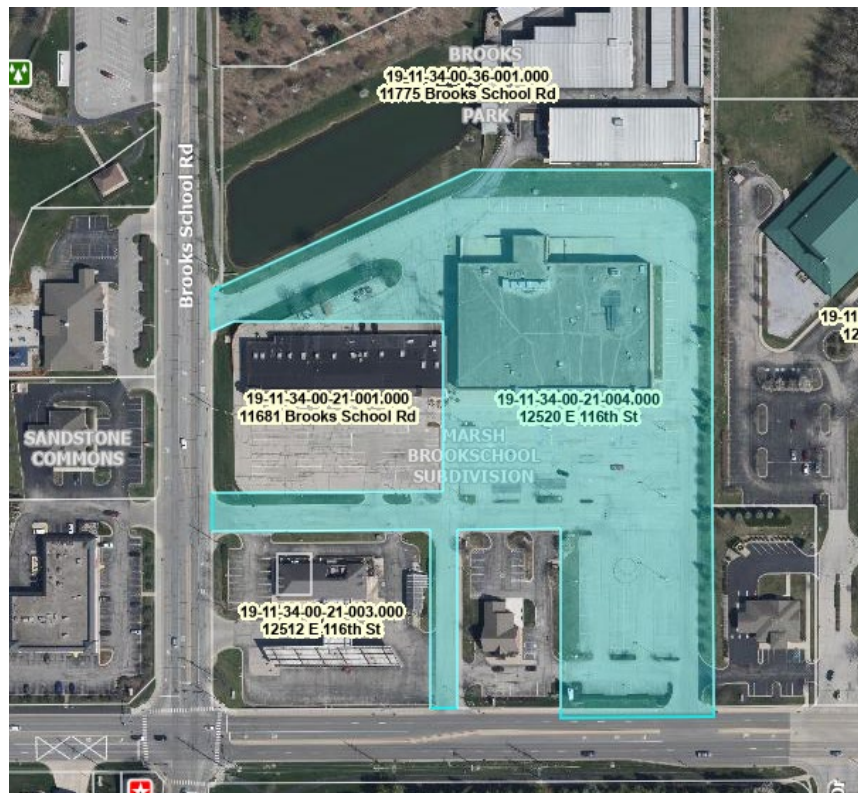
C3 - Commercial

FISHERS 2040:

Neighborhood Mixed Use

PARENT PARCEL SIZE: 7.81 acres

LOCATION MAP



STAFF RECOMMENDATION

☒ Approve

☐ Approve with Conditions

☐ Continue

☐ Deny

ZONING HISTORY:

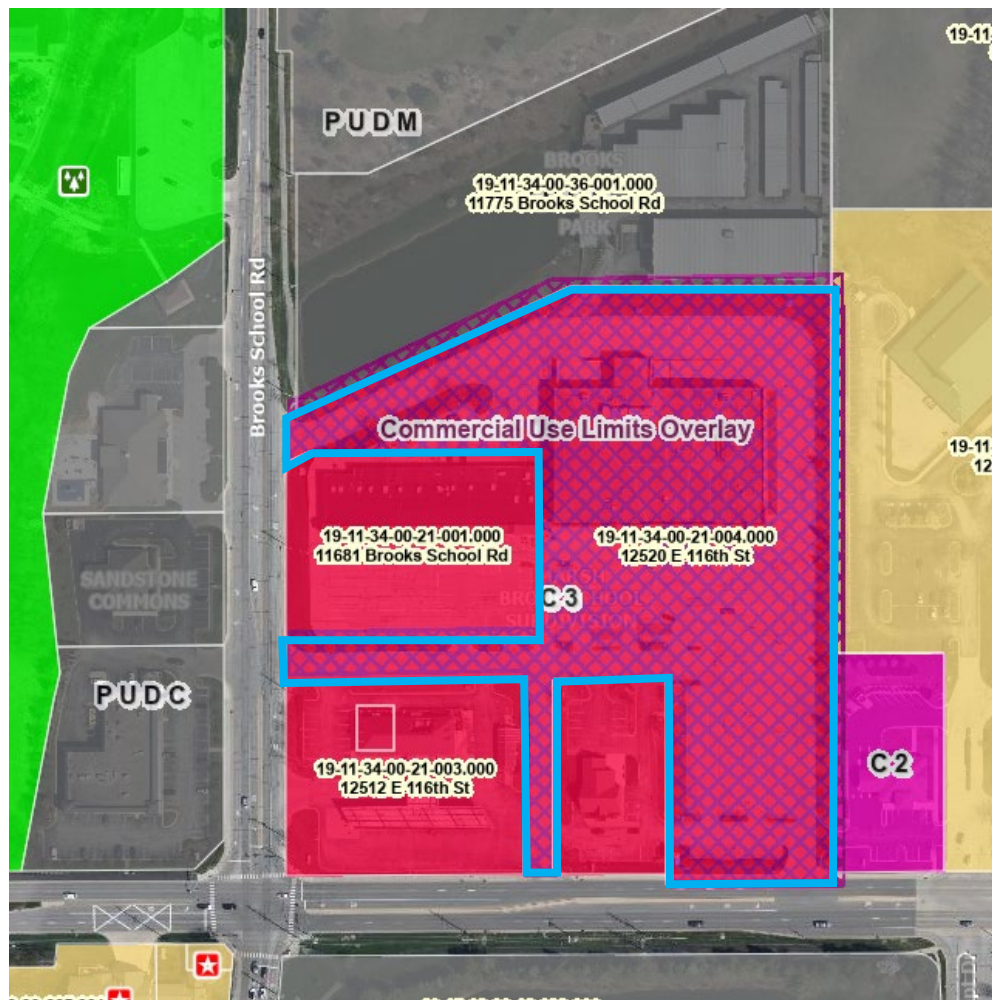
This property is zoned C3 – Commercial in the City of Fishers Unified Development Ordinance (UDO). The property also has an overlay district, Commercial Use Limits Overlay (Ordinance No. 101617E), which was signed in December 2017.

North: PUDC - Shamrock Landing PUD (storage facility)

South: PUDM – Sandstone Gray Eagle PUD (single-family residential)

East: R3 – Residential (place of worship), PUDM – Sandstone Gray Eagle PUD (place of worship), C2 – Commercial (financial institution)

West: PUDM – Sandstone Gray Eagle PUD (retail/office), PUDC – 116th Street and Brooks School Road PUD (retail/financial)



PETITION OVERVIEW:

The petitioner wishes to subdivide Lot 5 on the existing primary plat and create Lot 6 and a common area for a private street area on the proposed primary plat for this property.

Lot Standards

The proposed lots meet the requirements of the Unified Development Ordinance, where applicable.

Vehicular Access & Street Design

Access will be provided to Lot 6 at two entrances off E. 116th Street and one entrance off Brooks School Road by a cross access easement

Pedestrian Improvements

Pedestrian improvements will be provided as required by the UDO, where applicable.

Open Space & Landscaping

Landscaping improvements will be provided as required by the UDO, where applicable.

Utilities

The development will connect to water, and sanitary services as well as all other utilities during construction.

Waivers Requested

No waivers are requested.

PUBLIC COMMENT:

No public comments have been received at the time this staff report was written.

STAFF RECOMMENDATION:

The Primary Plat was reviewed by the Technical Advisory Committee (TAC) in December 2023. At this time, all TAC comments have been addressed. Staff recommend approval of this Primary Plat.

STAFF RECOMMENDATION

☒ Approve ☐ Approve with Conditions ☐ Continue ☐ Deny