

MEMORANDUM FROM STAFF

From: Marcellus Johnson, Planning Administrator

To: Lapel Advisory Plan Commission

Date: 09/03/2026

RE: Request for extension of Approval PLAT-2024-03

Exhibits:

1. Request Letter; 2. Approved PLAT-2024-03; 3. Relevant Ordinance Citation; 4. Notice of PLAT-2024-03

Request Description

Roscoe Dorsey of CRPP is seeking a 27-month extension of the approval of the preliminary plat for Lapel Industrial Park (PLAT-2024-03). The request is attached as Exhibit 1, and the approved plat is attached as Exhibit 2.

Request Background

Per UDO V12.1.4.D.vii, preliminary plat approval is temporary and expires after 18 months unless the applicant then applies for Construction Plan approval (Exhibit 3). The purpose of allowing the preliminary plat to expire if the developer does not move to begin construction is that the conditions that existed at the time of approval are not guaranteed to continue indefinitely, and it is therefore prudent to allow the Plan Commission to revisit a plat that has been “abandoned” for an extended period of time. Because the process of producing construction plans that will be approved may take several revisions, tying the expiration of a preliminary plat approval to an *application* for construction plan approval gives developers a bit of leeway between the expiration of their plat and the approval of their construction plans.

In addition, the same section of the UDO states that non-residential preliminary plats shall expire 10 years after approval. Taken in context, the Administrator’s interpretation of this section is that this 10-year timer only applies once the applicant has applied for construction plan approval and should therefore include the 18-month period discussed previously. As mentioned in UDO V12.1.2 Commercial and Industrial Subdivisions, the way that non-residential subdivisions are marketed and developed means that all of the lots may not be fully platted out until tenants/buyers are identified and define how much space they need for their business. Therefore, it may be many years before a single non-residential subdivision is fully platted. The developer is required to amend the preliminary plat each time a new business wants to carve out land that was not platted at the time of original preliminary plat approval. The 10-year period allows for that. Essentially, the 18-month period is intended to ensure that the developer takes the important step of seeking approval for construction of public improvements quickly, while the 10-year period is intended to give the developer plenty of time to get those improvements built before securing final plat approval.

In this case, PLAT-2024-03 was approved on December 12, 2024, giving him until June 12, 2026 to apply for Construction Plan approval. However, the letter notifying Mr. Dorsey of this approval did not advise him of this expiration date (Exhibit 4), and as the approval was granted before my tenure, I was not fully aware of it. Therefore, Mr. Dorsey was not given the proper opportunity to seek an extension—as the UDO allows—to give him time to apply for Construction Plan approval. For this reason, I have allowed him to apply for an extension even though his approval has technically already expired. Any extension granted by the Plan Commission must therefore be at least 4 months from June 12, 2026 (therefore ending on October 12, 2026) to grant him any relief.

Mr. Dorsey and his engineer have been working on the construction plans throughout this period, negotiating with state agencies and local utilities to ensure that the plans meet their requirements, and not enough has changed in the area to make revisiting the preliminary plat useful.

Staff's Recommendation

Staff recommends granting the requested extension.

EXHIBIT 1. REQUEST LETTER

Roscoe Dorsey
17697 Prairie Baptist Road
Noblesville, IN 46060
(317) 339-8050 | roscoedorsey@dorseyexcavating.com

September 1, 2026

Marcellus Johnson
Planning Administrator
Town of Lapel
P.O. Box 999 / 1011 N Main Street
Lapel, IN 46051-0999

RE: Request for Extension of Preliminary Plat Approval — PLAT-2024-03

Dear Mr. Johnson:

I am writing to request an extension of the preliminary plat approval granted for PLAT-2024-03. The Plan Commission granted preliminary plat approval for this subdivision on December 12, 2024, and I received your decision letter notifying me of that approval on January 9, 2025.

Per Unified Development Ordinance Volume 12, Section V12.1.4.D.vii, preliminary plat approval expires eighteen (18) months after the date of approval unless an application for Construction Plan approval has been submitted. Under this provision, the preliminary plat approval for PLAT-2024-03 expired on June 12, 2026. As the decision letter did not include notice of this expiration date, I was not tracking the deadline and am now requesting an extension consistent with our recent conversation on this matter.

I am requesting a twenty-seven (27) month extension of the preliminary plat approval. This period accounts for approximately three months that have elapsed since the June 12, 2026 expiration date, plus additional time needed to secure the necessary utility approvals before I am able to submit a complete Construction Plan approval application. A 27-month extension would set a new preliminary plat approval expiration date of September 12, 2028.

I respectfully request that this matter be placed on the agenda for the Plan Commission's September 10, 2026 meeting for consideration. Please let me know if any additional information or documentation is needed to process this request.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Roscoe Dorsey", followed by a long, sweeping horizontal line that extends to the right.

Roscoe Dorsey

TOWN OF LAPEL PLANNING COMMISSION CERTIFICATION OF APPROVAL

Petition: PLAT-2024-03

Subject: Preliminary Plat for Lapel Industrial Park

Location: East side of SR 13, 950 feet south of SR 38

Petitioner(s): Dorsey Roscoe, CRPP, LLC

Property Owner(s): CRPP, LLC

This petition requested approval of a preliminary plat with the following four waivers:

1. V 12.1.6, Block Standards, C. The maximum permitted block size is 800 feet. The request is to increase it to at least 1,220 feet.
2. V 12.1.6, Easement Standards, A.ii. Sanitary Sewer Easements. "The provision of sanitary sewer service shall be accomplished in the right-of-way." The request is to approve its location to be on the lots instead.
3. V 12.1.6, Easement Standards, B. Drainage Easements. The drainage easements are to be shown on the lots and provide a continuous drainage easement across all the lots and to be generally located along the rear, side, and front property lines of the lots. The request is to approve the location of some drainage infrastructure in the right-of-way.
4. V 12.1.2, Permits and Inspections B. ii. Lapel's UDO allows sidewalk installation in front of the individual lots when the specific lot is developed. *"However, three (3) years from the date of the approval of the Final Plat by the Town Council, the petitioner is responsible for installing all sidewalks and/or trees shown on the Final Plat, whether all lots in the development are built upon or not."* The request is to allow installation of the sidewalks in front of the lots as they develop beyond the three-year limit. This request applies only to the sidewalks contained inside of the subdivision in front of the individual lots and blocks, not for the sidewalks along State Road 13 or County Road S 875 W.

Notice was shown to have been published in a newspaper of general circulation in Madison County, Indiana on October 24, 2024, and it was shown that notices to adjacent property owners were mailed on September 26, 2024.

Town of Lapel Advisory Plan Commission reviewed this application and held public hearings at the meetings on October 10, 2024, and December 12, 2024. The Plan Commission discussed and answered any and all questions presented during the public hearings about this application and voted 4 Aye(s), 0 Nay(s), and 0 Abstain and approved this petition and waiver requests with the following condition(s):

1. At the time of submitting Subdivision Construction Plans, the petitioner will revise street curve radii to meet Lapel's UDO subdivision standards.

DATED: 1/9/25

LAPEL PLANNING COMMISSION



Matt Wood, President

ATTEST:



Teresa Retherford

PT. OF THE NORTHWEST 1/4, SECTION 15, TWP. 18 NORTH, RG. 6 EAST,
2ND P.M., GREEN TWP., MADISON COUNTY, INDIANA
TOTAL ACREAGE: 39.20 ACRES ±



STAMPED BY:

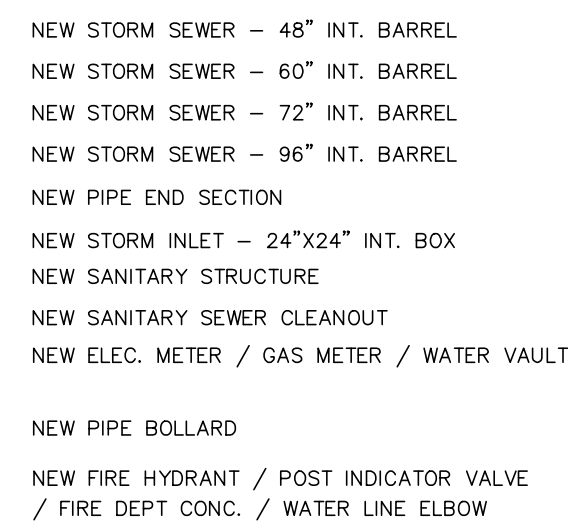
DATE	DESCRIPTION
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[illegible]

6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064

PRIMARY PLAT

SITE LEGEND



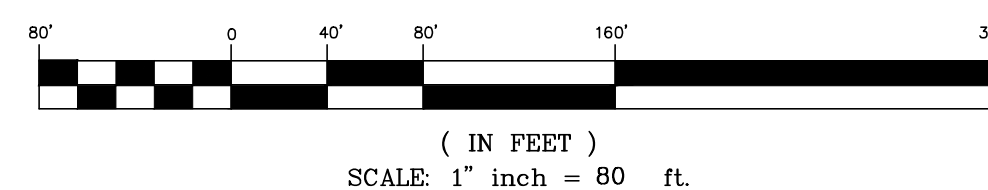
LIMITS OF CONSTRUCTION

NEW TERMALPLASTIC EMBLEMS

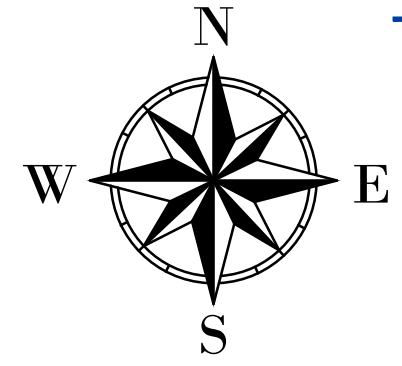
- | | |
|----------|---|
| A | NEW 8' WIDE CONCRETE MULTI USE PATH |
| B | NEW 8' WIDE CONCRETE SIDEWALK |
| C | NEW ADA ACCESSIBLE RAMP
WITH TACTILE WARNING |
| D | NEW ASPHALT PAVEMENT |
| E | NEW 24" ROLLED CURB |
| L | NEW END SECTION |
| M | NEW OUTLET CONTROL STRUCTURE; SEE
DETAILS |
| N | NEW STORM INLET/CATCH BASIN |
| O | NEW STORM MANHOLE |
| P | EXISTING DITCH INLET CONVERTED TO
PAVEMENT INLET |
| Q | NEW CURB INLET |



SCALE: 1" = 80'



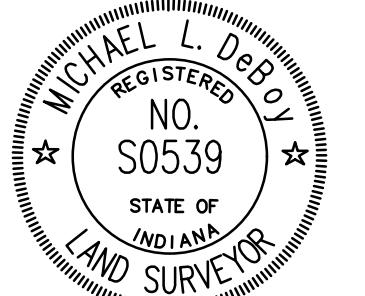
PT. OF THE NORTHWEST 1/4, SECTION 15, TWP. 18 NORTH, RG. 6 EAST,
2ND P.M., GREEN TWP., MADISON COUNTY, INDIANA
TOTAL ACREAGE: 39.20 ACRES ±



DLDS
DEBOY LAND DEVELOPMENT SERVICES

Designers Engineers Surveyors

P.O. BOX 423, Noida, India IN 406061
Phone: 317.770.1801



PREPARED BY:

STAMPED BY:

DATE	DESCRIPTION
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 NEW SHADE TREE; SEE LS101 FOR TYPE / COUNT

 NEW ORNAMENTAL TREE; SEE LS101 FOR TYPE / COUNT

 NEW CONIFEROUS TREE; SEE LS101 FOR TYPE / COUNT

 NEW LARGE SHRUB; SEE LS101 FOR TYPE / COUNT

 NEW SMALL SHRUB; SEE LS101 FOR TYPE / COUNT

 NEW PLANT SYMBOL; SEE SHEET LS102

 NEW PLANT COUNT NUMBER

 AREA LIGHT / LIGHT BOLLARD

 NEW THERMAL PLASTIC EMBLEMS
(WHITE COLORING UNLESS
STATED OTHERWISE ON PLAN)

NEW STREET SIGN / SPEED LIMIT SIGN
/ STOP SIGN / ACCESSIBLE PARKING SIGN

LAPEL INDUSTRIAL PARK TAC REVIEW

6208 SOUTH STATE ROAD 13, PENDLETON, IN 46064

PRIMARY PLAT LIGHTING LANDSCAPE SIGNAGE

CLIENT NAME/DEVELOPER/OWNER:
CHAD GALLOWAY & ROSCOE DORSEY
CRPP LLC
6208 SOUTH STATE ROAD 13
PENDLETON, IN 46064
765-534-5010
ROSCEEDORSEY@DORSEYEXCAVATING.COM

@2022 (LLDS) DeBoy Land Development Services, Inc.

DESIGNED: MLD APPROVED: MLD

DRAWN: BAW CHECKED BY: MLD

SCALE: 1" = 80' DATE: 01/30/23

PROJECT NO.: 2018-0032

P4 OF 6

PROJECT: C:\Users\civsu\OneDrive - debogland.com\Shared Documents\Projects\2018\2018-0032 - Dorsey Lapel Commercial Park - Dorsey Excavating\ENGINEERING\DRAWINGS\
DWG: PRIMARY PLAT-LS-LIGHT PLAN.dwg
PLOTTER: HP DesignJet 5000
DATE: Monday, December 2, 2024 5:06:49 PM

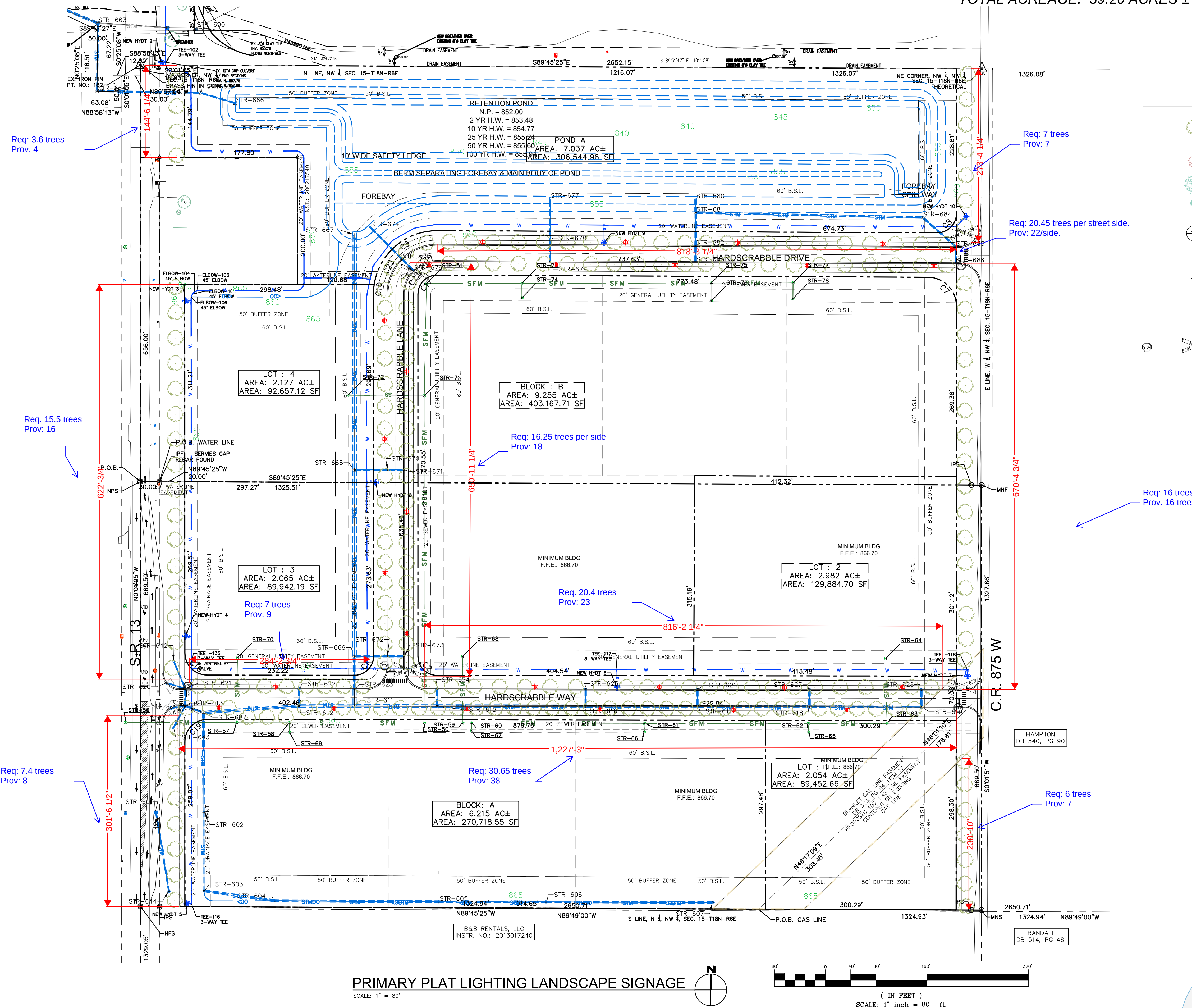


EXHIBIT 3. RELEVANT ORDINANCE CITATION

- Preliminary Plat consistent with the adopted Rules and Procedures of the Plan Commission.
 - d. The Plan Commission shall deny the Preliminary Plat if it is found to be inconsistent with the decision criteria and requires modifications that would result in changes to the layout of public improvements, lots, drainage systems, or other characteristics of the subdivision.
 - 2. The Plan Commission shall make written findings documenting its decision. The Administrator shall return one (1) copy of the application for Preliminary Plat approval and the plat to the petitioner with the date of approval, conditional approval, continuance, or disapproval and a copy of the written findings of the Commission within ten (10) business days of the date of the decision. The Administrator shall maintain one (1) file copy of the Preliminary Plat application and plat.
 - 3. Approval of a Preliminary Plat by the Commission is not final approval of the subdivision.
- vii. **Expiration: The approval of the Preliminary Plat shall expire 18 months from the date of the Commission's decision if the applicant has not proceeded with the development by applying for Construction Plan approval.**
 - 1. **Extensions of time may be granted by the Plan Commission upon the request of the petitioner.**
 - 2. In the case of Preliminary Plats which are divided into sections for the purpose of a phased construction, the Preliminary Plat shall expire five (5) years after the date of approval of the Construction Plans for the most recently developed section if construction plans for the subsequent section have not been approved and the installation of public improvements in that section commenced.
 - 3. **Non-residential preliminary plats shall expire ten (10) years from the date of approval consistent with this Ordinance.**
- viii. Denial of Plat: If the Preliminary Plat application is denied, the petitioner may not resubmit the same application for six (6) months from the date of disapproval. Fees on a resubmitted Preliminary Plat application shall be the same as if it were an original submittal.
- E. Decision Criteria: In reviewing applications for Preliminary Plat approval, the Plan Commission shall consider the following criteria.
 - i. The degree to which the proposed Preliminary Plat is consistent with the provisions of the Comprehensive Plan;
 - ii. The degree to which the proposed Preliminary Plat is consistent with the requirements of this Ordinance;
 - iii. The degree to which the proposed Preliminary Plat is consistent with the intent and standards of the zoning district in which it is located; and
 - iv. The degree to which the proposed Preliminary Plat is consistent with the all adopted construction standards for public improvements in Lapel, and standard engineering practices.
- F. Specifications for Preliminary Plat documents to be Submitted The proposed Preliminary Plat shall be prepared and certified by a land surveyor registered by the State of Indiana. It shall be designed on state plane coordinates, drawn at a scale of 100 feet to 1 inch on sheets not exceeding 24 inches by 36 inches in area. The proposed Preliminary Plat shall include:
 - i. Property Name:
 - 1. The name of the subdivision if the subject property is within an existing subdivision; or
 - 2. A proposed name if not within a previously platted subdivision. The proposed name shall not duplicate the name of any subdivision plat previously recorded nor for which primary approval is still in effect; or
 - ii. Property Ownership:
 - 1. The name and address, including telephone number, of the legal owner, the developer of the property or his/her agent, and citation of last instrument conveying titles to each parcel of property to the developer involved in the proposed subdivision, giving grantor, grantee, date, and land records reference.
 - 2. Citations of any existing covenants on the property.
 - 3. The name and address, including telephone number, of the professional person(s) responsible for the

make those written findings available to the petitioner within five (5) business days of the Commission's review. The written documentation shall consist of the following:

- i. a letter to the petitioner stating the action taken by the review members, and
 - ii. a list of any outstanding comments made by the members of the review, including references to appropriate sections of adopted, applicable requirements of Lapel, the State of Indiana, and/or the Federal government.
- I. **Decision Criteria:** In all cases, the TAC shall only consider the applicable adopted requirements of this Ordinance, the Lapel Zoning Ordinance, any adopted Lapel construction or improvements standards, any adopted standards of the Madison County Drainage Board, and any other adopted and applicable standards of Lapel, the State of Indiana, and/or the Federal government.
- i. In all cases in which the TAC member has approval authority and a petition conforms to the applicable standards, that petition shall be approved.
 - ii. In no case shall any petitioner be required to make any modifications to any petition based solely on the opinions or other undocumented and/or unadopted standards of any member conducting a preliminary review. This shall not be interpreted as prohibiting any review member from providing comments which express their professional opinions regarding a petition being forwarded to the Plan Commission.
- J. **Appeal Procedure:** Any applicant may appeal the decision made during a preliminary review to the Plan Commission. Applicants seeking relief from specific development standards or other requirements of the Zoning Ordinance which are unrelated to the review members' interpretation of the applicable requirements shall be required to obtain variance approval from the Board of Zoning Appeals.
- i. The applicant shall be required to provide the Administrator with written notice of the appeal within 60 days of the date of the preliminary review decision.
 - ii. The Administrator shall place the appeal on the agenda for the next appropriate Plan Commission meeting.
 - iii. Public notice for the meeting shall be required, consistent with the provisions of this Ordinance.

- iv. The Plan Commission shall consider the provisions of this Ordinance and all other applicable standards in deciding the appeal.

- K. **Withdrawal of Application:** The petitioner may withdraw any petition following the preliminary review by submitting a notice of such withdrawal in writing to the Administrator. Any petitions which are withdrawn and are subsequently re-filed shall be considered a new petition and shall be subject to all applicable requirements for new petitions established by this Ordinance.

Commercial and Industrial Subdivisions

It is recognized by this Ordinance that the development of commercial and industrial subdivisions is required by the nature of the marketing of such projects to deviate from the standard procedure used for residential subdivisions.

- A. **Review Emphasis:** In reviewing commercial and industrial subdivisions, the initial emphasis of the Commission shall be on street lay out and block arrangement.
- B. **Procedure:** The subdivider shall follow the procedure for Major Subdivisions provided in this Ordinance, but in terms of lot arrangement shall only be required to show two defined lots and a block layout.
 - i. The subdivider shall prepare Construction Plans and the Final Plat for only the lots identified, and shall re-plat the approved preliminary plat as additional lots become necessary.
 - ii. All commercial and industrial preliminary plats shall expire within ten (10) years of the date of preliminary plat approval by the Plan Commission.

Violations and Penalties

- A. **Violations:** A failure to comply with any of the requirements of this Ordinance, including violations of conditions and safeguards established in connection with the granting of waivers, as well as subdivision approval, shall constitute a violation of this Ordinance.
- B. **Legal Proceedings:** The Plan Commission, Plan Commission attorney, the Board of Zoning Appeals, the Building Inspector, or any designated enforcement official may bring to the attention of the Building Inspector and/or Town Attorney a violation of the provisions of this Ordinance in order to initiate legal proceedings pursuant to statute.
- C. **Mandatory Injunction:** The Plan Commission, the Board of Zoning Appeals, the Building Inspector or any designated enforcement official may request the Town Attorney to bring an action for a mandatory



EXHIBIT 4. APPROVAL NOTIFICATION LETTER PLAN COMMISSION DECISION LETTER

January 9, 2025

Roscoe Dorsey
CRPP, LLC
17697 Prairie Baptist Road
Noblesville, IN 46060

Dear Mr. Dorsey,

This letter is regarding your preliminary plat and waivers application (PLAT-2024-03) for the property comprised of two parcels (about 39 acres altogether) located on the east side of SR 13 and about 965 feet south of SR 38 in Lapel, IN (state parcel IDs: 48-15-15-200-012.000-044, 48-15-15-200-011.000-044). The application requested approval of a preliminary plat with the following four waivers:

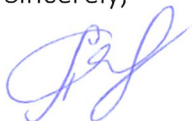
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Town of Lapel Advisory Plan Commission reviewed this application and held public hearings at the meetings on October 10, 2024, and December 12, 2024. The Commission **approved** the preliminary plat (set of plans dated December 2, 2024) and four waivers at its December 12, 2024, meeting, with the following Condition:

1. At the time of submitting Subdivision Construction Plans, the petitioner will revise street curve radii to meet Lapel's UDO subdivision standards.

Please, keep this letter for your record of the Commission's decision. Should you have any questions, feel free to contact the planning administrator at oksana@lapelindiana.org.

Sincerely,



Oksana Polhuy
Planning Administrator
Town of Lapel
825 Main Street, Lapel, IN 46051