



METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER

January 15, 2026

**Case Number:** 2025-ZON-125  
**Property Address:** 9700 East Thompson Road (Approximate Address)  
**Location:** Franklin Township, Council District #25  
**Petitioner:** Forestar (USA) Real Estate Group, Inc., by Brian J. Tuohy  
**Current Zoning:** D-A (FF)  
**Request:** Rezoning of 39.85 acres from the D-A (FF) district to the D-4 (FF) district to provide for a single-family residential development.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval with commitments.  
**Staff Reviewer:** Marleny Iraheta, Senior Planner

**PETITION HISTORY**

This petition was automatically continued from the December 11, 2025 hearing to the January 15, 2026 hearing at the request of a Registered Neighborhood Organization.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request subject to the following commitment being reduced to writing on the Commission's Exhibit "B" forms at least three (3) days prior to the MDC hearing:

1. A 45-foot half right-of-way shall be dedicated along Thompson Road as per the request of the Department of Public Works, Traffic Planning Section (DPW). Additional easements shall not be granted to third parties within the area to be dedicated as public right-of-way prior to the acceptance of all grants of right-of-way by the DPW. The DPW has requested that the right-of-way be granted within 60 days of approval.
2. Development of the site shall not occur without the issuance of a Letter of Amendment (LOMA) from FEMA, or full compliance with the Floodway Fringe (FF) standards.

**PETITION OVERVIEW**

**LAND USE**

The 39.85-acre subject site consists of undeveloped agricultural land. The site is bordered to the east by Interstate 74 with a park across it, zoned PK-1, single-family dwellings to the west, zoned D-3 and D-A,



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and a mix of commercial and residential uses as well as undeveloped land to the south, zoned C-4, D-A, and C-5.

### **REZONNING**

The request would rezone the site from the D-A district to the D-4 district to provide for a single-family residential development.

The D-A district holds the agricultural lands of Marion County and provides for a variety of agricultural uses. It is intended to provide for animal and poultry husbandry, farming, cultivation of crops, dairying, pasturage, floriculture, horticulture, viticulture, apiaries, aquaculture, hydroponics, together with necessary, accompanying accessory uses, buildings, or structures for housing, packing, treating, or storing said products; or lands devoted to a soil conservation or forestry management program. A single-family dwelling is intended to be permitted as a part of such agricultural uses. A secondary provision of this district is large estate development of single-family dwellings. This district fulfills the very low-density residential classification of the Comprehensive General Land Use Plan. This district does not require public water and sewer facilities.

The D-4 district is intended for low or medium-intensity, single-family and two-family residential development. Land in this district needs good thoroughfare access, relatively flat topography, and nearby community and neighborhood services and facilities with pedestrian linkages. Provisions for recreational facilities serving the neighborhood within walking distance are vitally important. Trees fulfill an important cooling and drainage role for the individual lots in this district. The D-4 district has a typical density of 4.2 units per gross acre. This district fulfills the low-density residential classification of the Comprehensive General Land Use Plan. All public utilities and facilities must be present. Development plans, which may include the use of clustering, should incorporate, and promote environmental and aesthetic considerations, working within the constraints and advantages presented by existing site conditions, including vegetation, topography, drainage, and wildlife.

### **DEPARTMENT OF PUBLIC WORKS**

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 45-foot half right-of-way along Thompson Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

### **FLOOD FRINGE**

This site has a secondary zoning classification of a Floodway Fringe (FF). The Floodway Fringe (FF) is the portion of the regulatory floodplain that is not required to convey the 100-year frequency flood peak discharge and lies outside of the floodway.

The designation of the FF District is to guide development in areas subject to potential flood damage, but outside the Floodway (FW) District. Unless otherwise prohibited, all uses permitted in the primary zoning district (D-4 in this request) are permitted, subject to certain development standards of the Flood Control Secondary Zoning Districts regulations.

This site lies within the floodway fringe of Big Run Creek, which runs along the northern portion of the site and floodway fringe of Bethel Creek along the southern portion of the site.

## STAFF ANALYSIS

The rezoning would allow for the development of a single-family residential subdivision with 105 proposed lots.

The Big Run Creek, classified as a Category One Stream, runs east to west along the northern corner of the site according to aerial mapping. This stream requires a 100-foot Stream Protection Corridor parallel along both sides of the top of bank because it is in the Metro Context Area.

Bethel Creek, classified as a Category Two Stream, runs east to west along the southern portion of the site and requires a 50-foot stream protection corridor parallel along both sides of the top of bank in the Metro Context Area.

The proposed layout would have four parcels within the Stream Protection Corridors. It would be ideal if the proposed development were to be rearranged in a manner to ensure the full parcel could be outside of the Stream Protection Corridors, but if development does not occur in these areas, then variances would not be required. Staff would not support variances to encroach into the Stream Protection Corridors.

Staff has concerns with the entirety of the site falling within the 100-year floodplain and the proposed complete build out of the site to the maximum capacity. This would be achieved by using a lot width and lot area exception for subdivisions in the D-S, D-1, D-2, D-3, and D-4 zoning districts that allows the reduction of the lot width and lot area for up to 20 percent of the total number of lots within the subdivision. Instead, the proposed lots could meet the required standards to reduce the number of units on site.

If development would occur within the 100-year floodplain, a significant reduction of units would be requested by staff and the cluster option should be proposed to allow a large portion of the site to remain undeveloped to ensure adequate drainage on site could occur. Staff would not support variances within the floodplain.

The subject site is almost entirely within the Floodway Fringe (FF). While the FF district does not prohibit residential development, the petitioner must demonstrate that development is feasible while meeting all requirements of Article V, including elevation above Flood Protection Grade and avoidance of substantial improvement triggers.

The petitioner submitted a memorandum stating the intent to file for a Letter of Map Amendment (LOMA) from FEMA, which was similarly approved for the adjacent subdivision to the west of the subject site that would remove the site from within the floodplain designation. If approved, the site could be developed without issue and would not be required to meet the Floodway Fringe (FF) standards.

Staff recommends approval of the request with the commitment that development shall not occur without the issuance of a Letter of Map Amendment (LOMA) from FEMA or full compliance with the Floodway Fringe (FF) standards.

## GENERAL INFORMATION

<b>Existing Zoning</b>	D-A (FF)	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	PK-1	I-74 and Park
South:	C-5 / C-4 / D-A	Undeveloped / Commercial / / Residential (Single-family dwellings)
East:	PK-1	Park
West:	D-3 / D-A	Residential (Single-family dwelling)
<b>Thoroughfare Plan</b>		
Thompson Road	Primary Arterial Street	90-foot proposed right-of-way and 52-140-foot existing right-of-way range.
Southeastern Avenue	Primary Collector Street	90-foot proposed right-of-way and 100-foot existing right-of-way.
I-74	Freeway	N/A
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	Yes	
<b>Overlay</b>	Yes	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	October 22, 2025	
<b>Site Plan (Amended)</b>	N/A	
<b>Elevations</b>	N/A	
<b>Elevations (Amended)</b>	N/A	
<b>Landscape Plan</b>	N/A	
<b>Findings of Fact</b>	N/A	
<b>Findings of Fact (Amended)</b>	N/A	
<b>C-S/D-P Statement</b>	N/A	

## COMPREHENSIVE PLAN ANALYSIS

### Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)

## Pattern Book / Land Use Plan

- The Comprehensive Plan recommends Suburban Neighborhood development of the site.
- The Suburban Neighborhood typology is predominantly made up of single-family housing but is interspersed with attached and multifamily housing where appropriate. This typology should be supported by a variety of neighborhood-serving businesses, institutions, and amenities. Natural Corridors and natural features such as stream corridors, wetlands, and woodlands should be treated as focal points or organizing systems for development. Streets should be well-connected, and amenities should be treated as landmarks that enhance navigability of the development. This typology generally has a residential density of 1 to 5 dwelling units per acre, but a higher density is recommended if the development is within a quarter mile of a frequent transit line, greenway, or park.
- **Conditions for All Land Use Types**
  - All land use types except small-scale parks and community farms/gardens in this typology must have adequate municipal water and sanitary sewer.
  - All development should include sidewalks along the street frontage.
  - Hydrological patterns should be preserved wherever possible.
  - Curvilinear streets should be used with discretion and should maintain the same general direction.
  - In master-planned developments, block lengths of less than 500 feet, or pedestrian cut-throughs for longer blocks, are encouraged.
- **Conditions for All Housing**
  - A mix of housing types is encouraged.
  - Developments of more than 30 housing units must have access to at least one arterial street of 3 or more continuous travel lanes between the intersections of two intersecting arterial streets.
  - Should be within a one-mile distance (using streets, sidewalks, and/or off-street paths) of a school, playground, library, public greenway, or similar publicly accessible recreational or cultural amenity that is available at no cost to the user.
  - Should be oriented towards the street with a pedestrian connection from the front door(s) to the sidewalk. Driveways/parking areas do not qualify as a pedestrian connection.
  - Developments with densities higher than 5 dwelling units per acre should have design character compatible with adjacent properties. Density intensification should be incremental with higher density housing types located closer to frequent transit lines, greenways, or parks.
- **Detached Housing**
  - The house should extend beyond the front of the garage.
  - Lots should be no more than 1.5 times the size (larger or smaller) of adjacent/surrounding lots, except in cases where lots abut existing residential lots of one acre or more in size. In those cases, lots should be no smaller than 10,000 square feet and no larger than 1.5 times the size of the abutting lot.

## Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

### Neighborhood / Area Specific Plan

- The site falls within the Wanamaker Community Master Plan.
- It identifies Thompson Road, east of Southeastern Avenue, as marked for multi-modal expansion.
- Wetlands, waterways, and floodplains are essential contributors to ecosystems due to their natural abilities to clean and store stormwater. If cultivated and functional, they can act as the lungs of the landscape and help maintain flora and fauna. The location of the existing waterways, watersheds, wetlands, floodplains, and water bodies are all important considerations for future public spaces, trail connections, parks, and for future development considerations.
- Flooding along Big Run Creek occurs occasionally but stormwater management has been improved in recent years due to added infrastructure with the development of new subdivisions.

### Infill Housing Guidelines

- Not Applicable to the Site.

### Indy Moves

(Thoroughfare Plan, Pedestrian Plan, Bicycle Master Plan, Greenways Master Plan)

- The site falls within the Indy Moves Transportation Integration Plan (2018) which proposes an off-street multi-use path along Thompson Road from Southeastern Avenue to County Line Road.
- The site falls within the Indy Moves Transportation Integration Plan (2018) which proposes an off-street multi-use path along Southeastern Avenue from Franklin Road to Southeastway Park

## ZONING HISTORY

### Zoning History – Vicinity

**2023-CZN-865 / 2023-CPL-865; 9665 Southeastern Avenue** (south of site), Rezoning of 1.809 acres from the D-A to the D-S district to provide for a single-family dwelling lot and Approval of a Subdivision Plat, to be known as Star-Southeastern Development, dividing 3.225 acres into two lots, **approved**.

**2018-CZN-827; 9900 East Thompson Road** (east of site), Rezoning of 53.34 acres from the D-P (FF) district to the PK-1 (FF) classification to provide for parks, **approved**.

**2018-ZON-017; 9600 Southeastern Avenue** (west of site), Rezoning from the D-A (FF) district to the D-3 (FF) district, **approved**.

**2005-ZON-120; 9741 Pentecost Road** (north of site), Rezoning 68.337 acres, being in the D-A (FF) District, to the D-3 (FF) classification to provide for residential uses, **approved**.

**2003-ZON-060; 9900, 10050, 10500, and 10640 East Thompson Road and 10101 and 10401 Pentecost Road** (east of site), Rezoning of 422.943 acres, being in the D-P (FF)(FW) District, to the D-P (FF)(FW) classification to provide for 833 single-family dwellings, **approved**.

**2000-ZON-111; 9950 Southeastern Avenue** (southeast of site), Rezoning of 10.34 acres from D-A to SU-1 to provide for a church, **approved**.

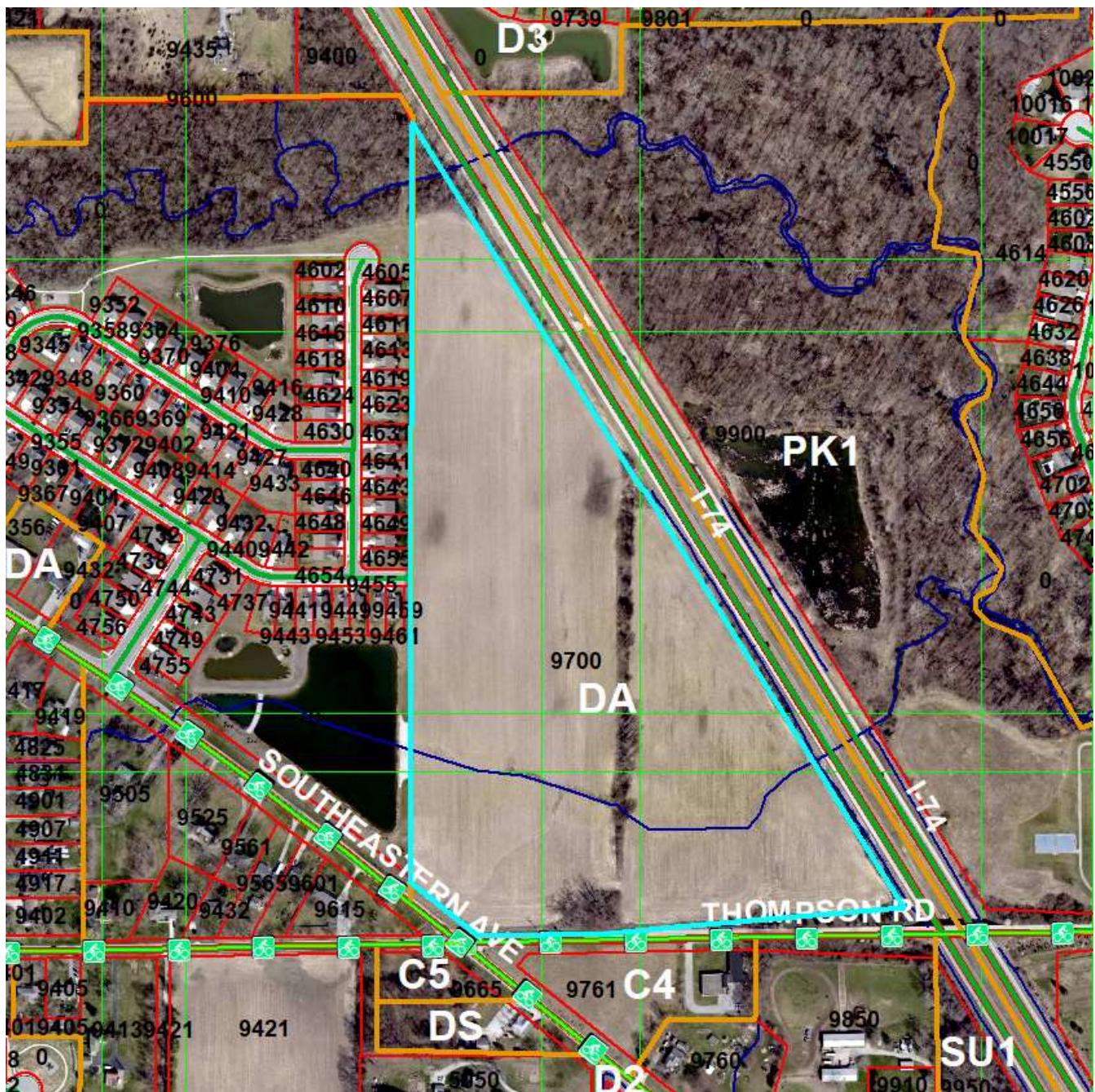
**96-Z-18; 4650 Senour Road** (east of site), Rezone 4.23 acres from D-A (FW)(FF) to D-P (FW)(FF) to provide for a mixed-use development, including single-family residences, a golf course, and a neighborhood commercial center, **approved**.

**86-Z-245; 9811 East Thompson Road** (south of site), Rezoning from the SU-1 district to the CID district, **denied**.

**74-Z-63; 9811 East Thompson Road** (south of site), Rezoning from the A-2 district to the C-4 district, **approved**.

**60-Z-39; Southwest corner of Thompson Road and U.S. 421** (south of site), Rezoning from the A-2 district to the B-5 district (modern C-5 district), **approved**. **approved**.

## EXHIBITS

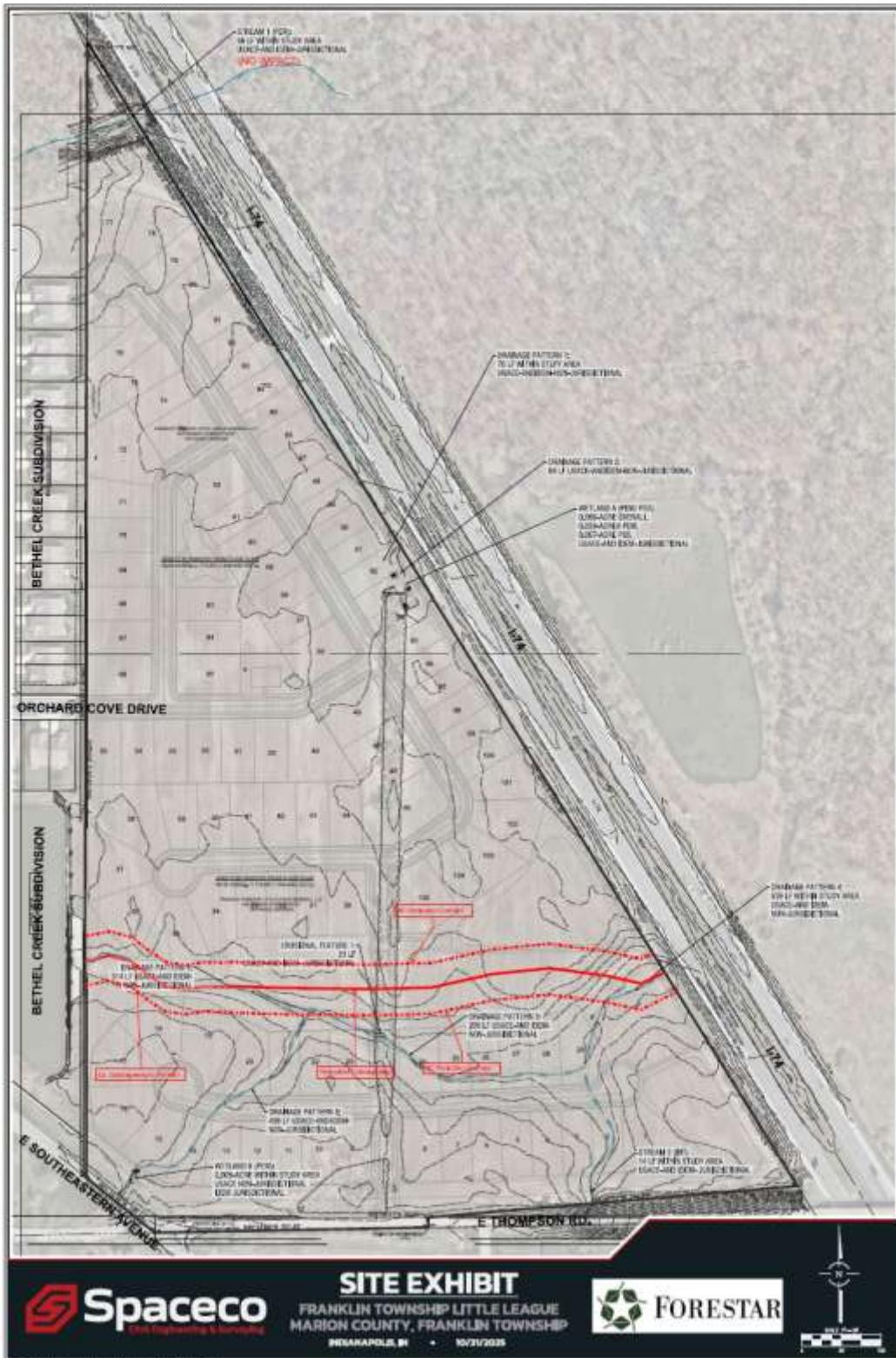


## AERIAL MAP

**SITE PLAN**



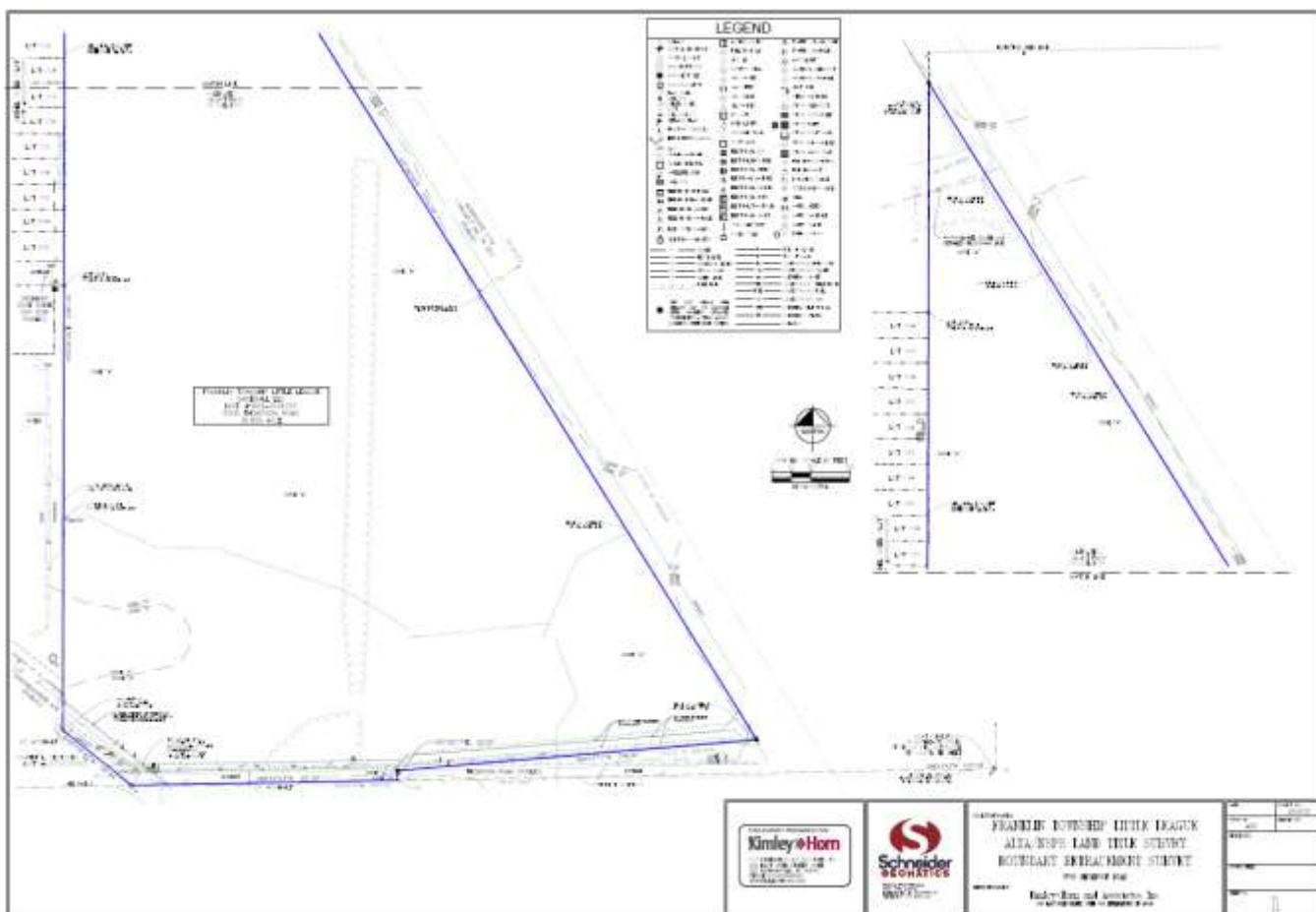
STREAM PROTECTION CORRIDOR





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## SURVEY





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MEMORANDUM

To: Cheyenne Hoffa – Forestar  
From: Michael S. Mondus, P.E., CFM  
Date: November 25, 2025  
RE: 9700 E. Thompson Road (AKA Little League Parcel)  
Indianapolis, Indiana  
Spaceco Project No. 13680

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The approximate 39.85 acre parcel located north of Thompson Road, west of the I-74 Expressway, and east of the Bethel Creek Subdivision is currently vacant farmland and is proposed to be developed with single family homes. There are two drainageways that flow through the parcel. Big Run Creek is located at the north most point of the parcel and a smaller drainageway, Bethel Creek, flows through the southern end of the parcel.

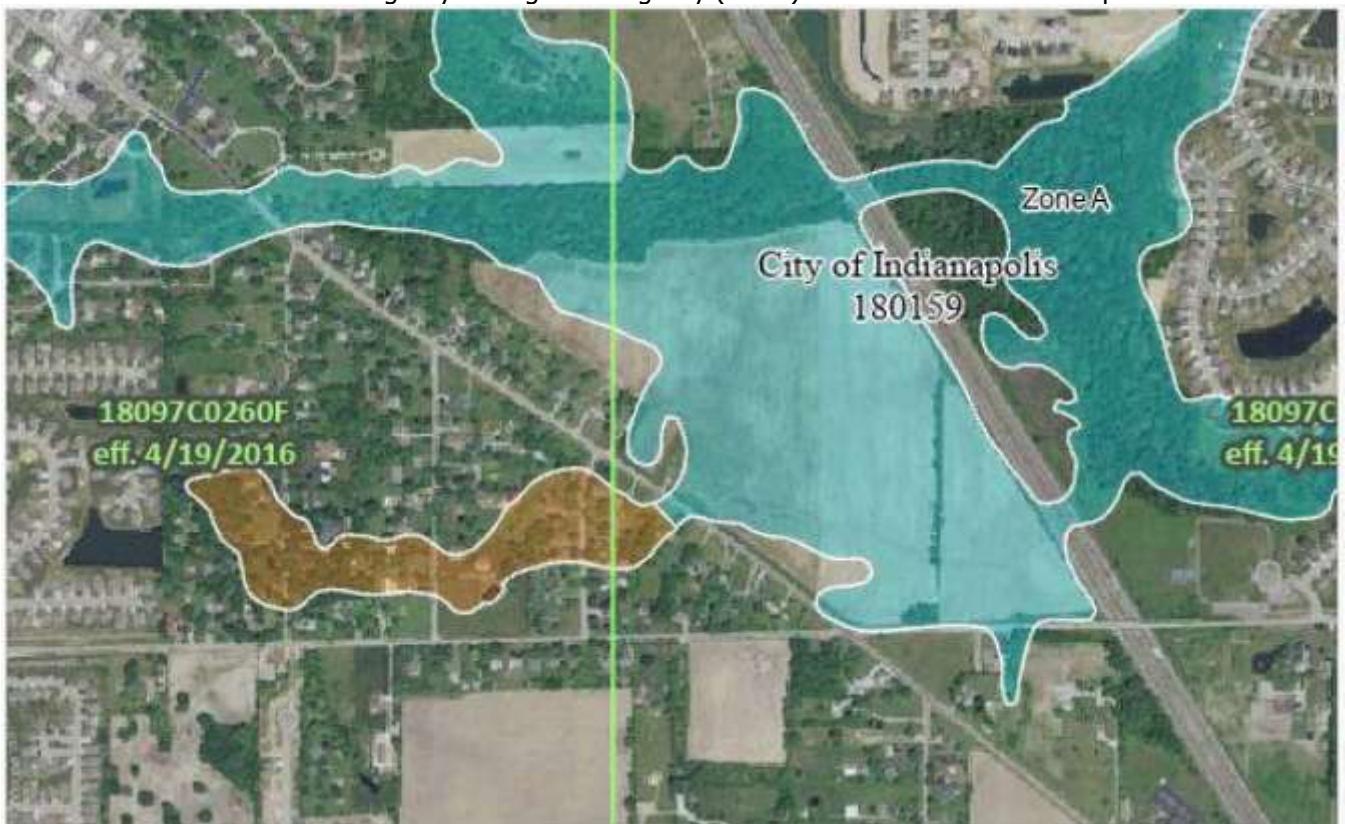
Currently a majority of the parcel is mapped as Zone A floodplain on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate maps. In 2016 a Floodplain Analysis and Regulatory Assessment was prepared by Landwater Group, Inc. in conjunction with the adjacent development of the Bethel Creek subdivision. The analysis showed that a majority of that development to be located outside of the Big Run Creek floodplain. That study was reviewed and approved by the Indiana Department of Natural Resources as MR-34034. The elevations from that study were then used to obtain a Letter of Map Amendment (LOMA) from FEMA (Case No. 18-05-3144A issued 07/27/18) to administratively remove the floodplain designation for a majority of the adjacent Bethel Creek subdivision.

The flood elevations established by the MR-34034 study will be used to file a LOMA application with FEMA for this parcel. Based on current topographic data a majority of the site is above the floodplain elevation and can have the floodplain designation removed. See attached exhibit.

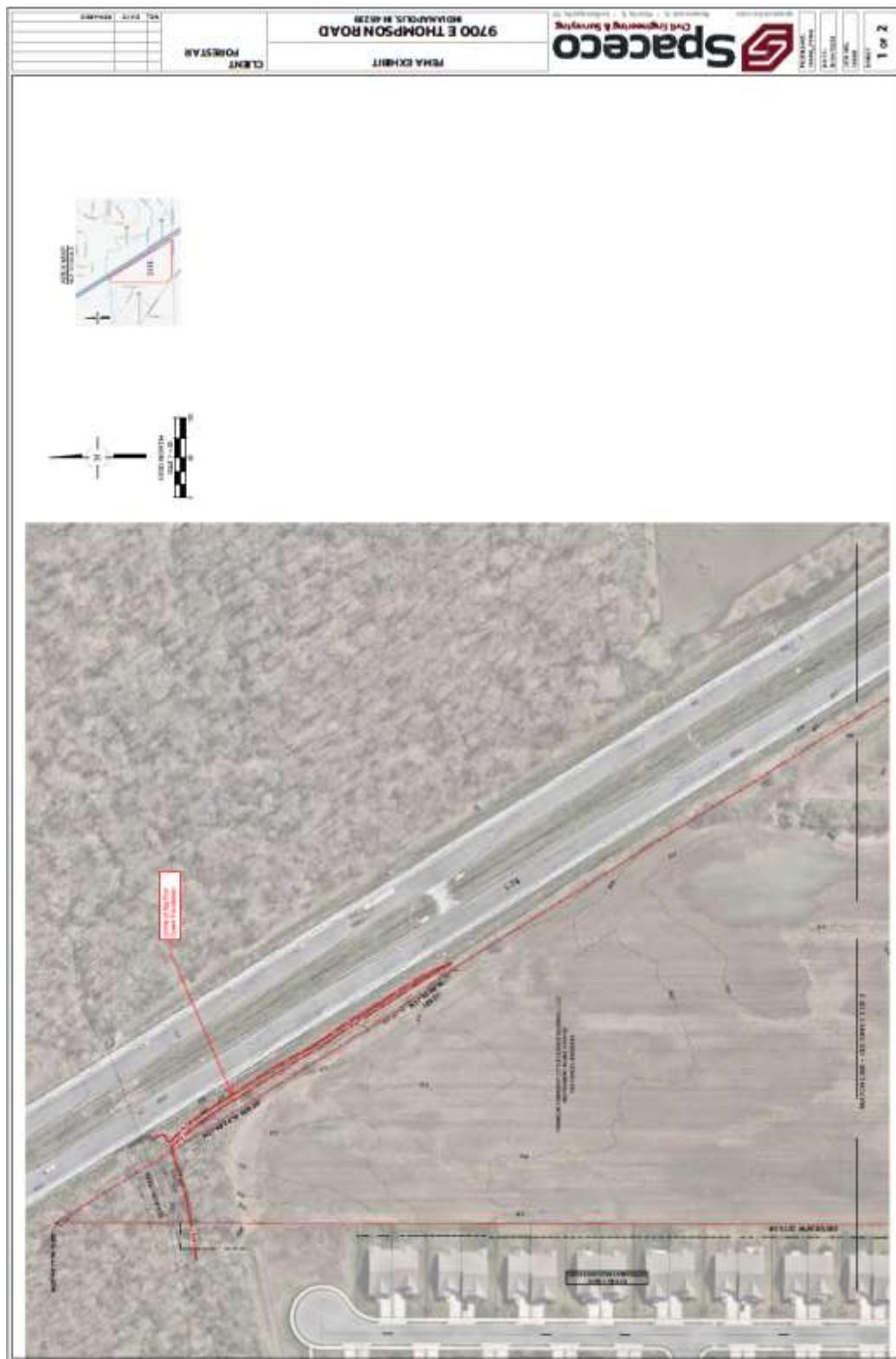
The smaller, non-regulatory Bethel Creek drainageway flows through the south end of the site. An analysis of this drainageway was also performed by Landwater Group, Inc. in conjunction with the adjacent Bethel Creek subdivision. When the Bethel Creek project was constructed, the storage volume associated with the Bethel Creek drainageway that were displaced by the development were compensated for through the construction of a pond at the south end of that development.

The development of this project proposes to maintain the tributary flow from the adjacent development that comes from the Bethel Creek drainageway, and convey it to the downstream culvert under I-74. Portions of the existing drainageway are proposed to be realigned with this development, however all of the existing storage volume associated with the drainageway that exists on the parcel will be maintained on the site, so there will be no decrease in storage volume and no impacts to upstream or downstream areas.

Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map



FEMA EXHIBIT



FEMA EXHIBIT (Continued)





Photo of the subject site looking northwest from Thompson Road towards the proposed entrance.



Photo of the subject site looking north.



Photo of the subject site looking east.



Photo of a commercial building south of the site.



Photo of the commercial property south of the site.



Photo of the subject site looking east from Orchard Cove Drive.



Photo of the subject site looking south.



Photo of the subject site looking north.



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Photo of the entrance drive from Southeastern Avenue to the proposed subdivision.