



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

March 13, 2025

Case Number: 2025-ZON-002
Property Address: 6120 East Thompson Road Avenue (Approximate Address)
Location: Lawrence Township, Council District #24
Petitioner: Thompson and Commerce Properties, LLC by Richard Henderson
Current Zoning: D-P (FF)
Request: Rezoning of 4.732 acres from the D-P (FF) district to the D-6 (FF) district to provide for residential uses.
Current Land Use: Commercial
Staff Recommendations: **Approval**
Staff Reviewer: Desire Irakoze, Principal Planner II

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff **recommends approval** of the request.

Staff recommends approval shall be subject to the following commitments:

1. A 10' shared-use path along the entire required amenity path.
2. A connection from the shared-use path to the existing commercial properties to the south.

PETITION OVERVIEW

LAND USE

The 4.73-acre subject site is part of the South of The Villas at Franklin Crossing Subdivision within the Poplar Grove Neighborhood. Thompson Park is located to the southeast of the property.

The property is surrounded by a varying residential districts and commercial uses. To the north and east the property is residential and contains The Villas at Franklin Crossing, this is a residential two-family subdivision that is part of the original Development Plan. To the south there are commercial properties with drug stores, bar taverns, general store and other neighborhood commercial uses. To the west there are other commercial uses that include, gas station, and professional services.



REZONING

This petition would rezone this site from the **D-P Planned Unit Development District** to the **D-6 (Dwelling District Six)** to allow the development of five (5) multi-unit buildings with a total of 23 dwelling units. The density of the development will be 4.86 units per acre, This is comparable to the subdivision to the east which has 4.72 units per acre.

D-P (Planned Unit Development District): predominantly residential in nature but may include supportive commercial or industrial development. D-P zoning requires the Metropolitan Development Commission's approval of all uses, site and development plans. creative site planning, variety in physical development, and imaginative uses of open space are objectives to be achieved in a D-P district.

D-6 (Dwelling District Six): permits medium density residential development of a variety of housing types: multifamily dwellings, triplex, fourplex, two-family and single-family attached dwellings. The district is intended for developments in suburban areas well served by major thoroughfares, sanitary sewers, and school and park facilities with a typical density of 6 to 9 residential units per acre.

FF (Floodway Fringe District): a secondary zoning district that overlays the primary zoning district. FF indicates a 1% chance for significant flooding as well as shallow flooding in any given year. FF is based upon hydrological data and is delineated on the FEMA maps.

STAFF ANALYSIS

The Development Plan (D-P) approved in 2000 (2000-ZON-032/ 2000-DP-007) established a mixed-use development that included two-family dwellings, a multi-family residential component for seniors and offices. The single-family residential component initially consisted of 38 two-family lots. In 2001, the DP was modified (2001-ZON-823/2001-APP-823/2001-PLT-823/ 2001-DP-005) to allow for 41 two-family lots (increasing the total by three (3) lots) and reconfigured the layout. This proposed rezone would allow for an additional 23 residential units.

Staff notes that approval of this rezoning petition would effectively terminate commitment #2 of the 2001-DP-005 DP regarding sidewalks and pedestrian access, which states:

Commitment #2. "A pedestrian access from the east side of the residential area to the commercial area, via a common area between lots 8 and 9 shall be provided as depiction on the concept plan."

This commitment is not feasible, as Lots 8 and 9 have already been built and are under separate ownership. To maintain the intent of the original commitment, staff recommends the implementation of a shared-use path to ensure connectivity between the residential and commercial areas.

Arlington Avenue is classified as a four-lane primary arterial. According to the 2019 Thoroughfare Plan a 10-foot-wide shared-use path is recommended along this corridor. Additionally, per the Subdivision Control Ordinance Open Space Standards (741-310. B.1), subdivisions with more than 20 dwelling units are required to provide a minimum of 1,320 linear feet (1/4 mile) of trail amenities.



As a condition of approval, Staff recommends the following:

3. A 10' shared-use path along the entire required amenity path.
4. A connection from the shared-use path to the existing commercial properties to the south.

Finally, staff notes that certain aspects of the current site plan do not comply with Subdivision Control Ordinance. These issues will be addressed during the platting phase of development through the variance process.

GENERAL INFORMATION

Existing Zoning	D-P	
Existing Land Use	Commercial	
Comprehensive Plan	Community Commercial	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
	North:	D-A Residential Use
	South:	D-P Commercial Use
	East:	D-P Commercial Uses, Residential Use
	West:	C-3 Residential Use
Thoroughfare Plan		
East Thompson Road	Primary Arterial Street	70-foot right-of way existing and a 119-foot right-of way proposed
South Arlington Avenue	Primary Arterial Street	70-foot right-of way existing and a 119-foot right-of way proposed
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan		
Site Plan (Amended)	2/13/2025	
Elevations	N/A	
Elevations (Amended)	N/A	
Landscape Plan	N/A	
Findings of Fact	N/A	
Findings of Fact (Amended)	N/A	
C-S/D-P Statement	N/A	

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)

Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends office commercial development of the site.
The **Community Commercial typology** provides for low-intensity commercial, and office uses that serve nearby neighborhoods. These uses are usually in freestanding buildings or small, integrated centers. Examples include small-scale shops, personal services, professional and business services, grocery stores, drug stores, restaurants, and public gathering spaces.
- **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.
- **Small-Scale Offices, Retailing, and Personal or Professional Services**
 - If proposed within one-half mile along an adjoining street of an existing or approved residential development, then connecting, continuous pedestrian infrastructure between the proposed site and the residential development (sidewalk, greenway, or off-street path) should be in place or provided.

Red Line / Blue Line / Purple Line TOD Strategic Plan

- Not Applicable to the Site.

Neighborhood / Area Specific Plan

- Not Applicable to the Site.

Infill Housing Guidelines

- Not Applicable to the Site.

Indy Moves

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

- Thoroughfare Plan 2019, Arlington Avenue is a 4-lane primary arterial request a 10' Shared-Use Path along the street frontage.

ZONING HISTORY

Zoning History – Site

2001ZON823/2001APP823/2001PLT832 (2001DP005); 6040 East Thompson Road; requests a rezoning of 17.346 acres from D-P to D-P to provide for 41, two-family residential lots, and a modification of development statement, related to petition 2000-ZON-032 (2000-DP-007), to provide for: 82 dwelling units (76 dwelling units approved by the development statement), with minimum main floor livable space between 1,300 square feet (minimum main floor livable space between 1,050 square feet approved by the development statement), all dwelling units with an attached garage capable of storing at least two vehicles (75-percent of the dwelling units shall have an attached garage capable of storing at least two vehicles and 25-percent of the dwelling units may construct a garage to store one vehicle approved by the development statement), eliminate paragraph II-A-2, both access points on Arlington Avenue and Thompson Road for the connector street with a boulevard design with landscape islands, eliminate paragraph II-A-3, a residential boulevard street incorporating landscaping islands and landscaping along either side of the connector, eliminate paragraph II-A-4, the connector street with a 70-foot maximum right-of-way and a 34-foot maximum pavement width. Plat Request: Subdivision approval of 17.349 acres into 41 lots. **Approved.**

2000-ZON-032 (2000-DP-007); 6040 East Thompson Road Rezone 32.26 acres from the D-A to DP to provide for two-family residential development, multi-family residential development for seniors, offices, and neighborhood service and retail development. **Approved**

Zoning History – Vicinity

2023ZON038; 6041 East Thompson Road (South of Subject Site) Rezoning of 3.40 acres from the C-S and D-P districts to the C-3 district to provide for a neighborhood commercial development. **Approved**

2007ZON848; 6041 East Thompson Road (South of Subject Site), Rezoning of 1.5 acres, from the D-P District, to the C-S classification to provide for the following uses: A single family dwelling, all C-3 uses, temporary seasonal retail sales, retail sale of a lawnmower, ATVS, Scooters, and detached accessory buildings, with a 2,475-square foot outdoor display area and three accessory buildings on display at one time.

2007VAR848; 6041 East Thompson Road (South of Subject Site), Variance of Development standards of the Commercial Zoning Ordinance to Legally Establish a 3,430-square foot gravel parking lot (paved and striped parking required) with a zero-foot east side setback (minimum 15ft east transitional side yard required). **Approved.**

97-Z-107/97-DP-6; 6401 East Thompson Road (South of Subject Site), request rezoning of 100 acres, being in the D-A District, to the DP classification to provide for a planned unit development, consisting of a 320-lot single-family residential development at 3.2 units per acre and an 8-acre park. **Approved.**



Department of Metropolitan Development
Division of Planning
Current Planning

97-Z-132 /97-DP-8; 6001 East Thompson Road (South of Subject Site), Request a rezoning of 73.27 acres, being in the D-A District, to the DP Classification to provide for 3 existing residences, a 94- lot single-family residential development, 49 one story fourplexes, and C-1 or C-3 uses, **Approved.**

99-Z-113/99-DP-20; 4501 South Arlington Avenue, Request rezoning of 25.8 acres from D-A to DP to provide for two-family residential development. **Approved.**

98-CP-21-Z; 4727 South Arlington Avenue, (North of Subject Site), request rezoning of 17.70 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development, **Approved.**

91-Z-13; 4410 South Arlington Avenue, request rezoning of 28.62 acres, being in the D-A District, to the D-3 classification to provide for single-family residential development. **Approved.**

72-Z-135; 4500-500 South Arlington Avenue, request rezoning of 160 acres, being in the A-2 district, to the D-3 classification to provide for single-family residential development. **Approved.**

73-Z-281; 4902 South Arlington Avenue (East of Subject Site), request rezoning of 8.69 acres, being in D-3 district to C-3 classification for convenience shopping center including branch bank.

73-Z-282; 4902 South Arlington Avenue (East of Subject Site), request to rezone 0.92 acres from D-3 to C-3

EXHIBITS

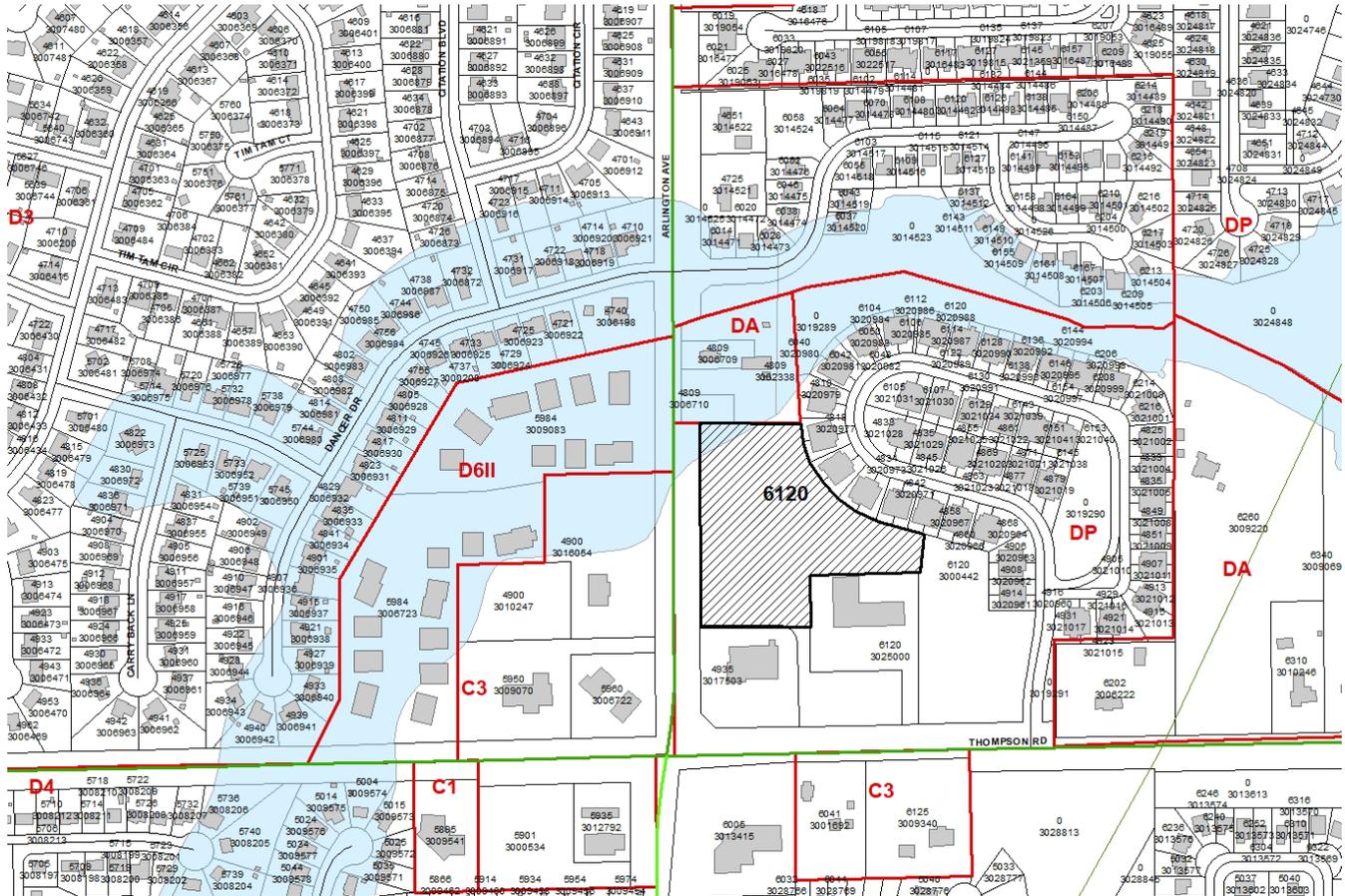


PHOTO EXHIBITS



On Subject Site looking at Villas Sub



On Subject Site looking at Villas Sub



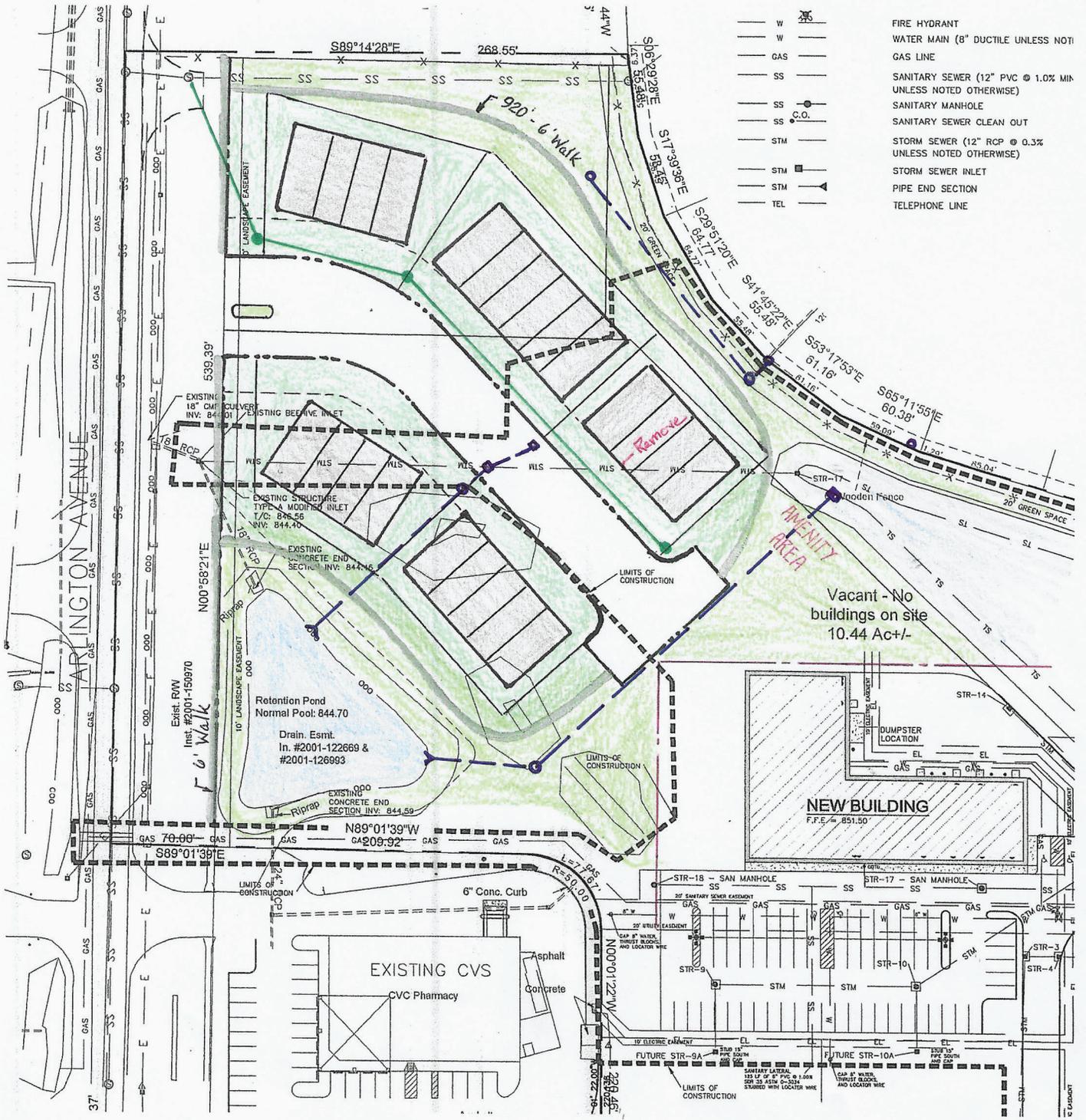
Subject property Vacant



Looking towards commercial property

2025-ZON-002 Site Plan

FRANKLIN CORNERS



- W
 - GAS
 - SS
 - SS
 - SS
 - STM
 - STM
 - STM
 - TEL
- FIRE HYDRANT
 - WATER MAIN (8" DUCTILE UNLESS NOTI
 - GAS LINE
 - SANITARY SEWER (12" PVC @ 1.0% MIN UNLESS NOTED OTHERWISE)
 - SANITARY MANHOLE
 - SANITARY SEWER CLEAN OUT
 - STORM SEWER (12" RCP @ 0.3% UNLESS NOTED OTHERWISE)
 - STORM SEWER INLET
 - PIPE END SECTION
 - TELEPHONE LINE

23 UNITS

SCALE 1" = 100'

2001-ZON-823 Site Plan

PROJECTS plus
 THE VILLAGES AT FRANKLIN CROSSING
 FRANKLIN TOWNSHIP, WAGON COUNTY, NORTH CAROLINA
 CONCEPTUAL PLAN
 DATE: 01/11/01
 DRAWN BY: [REDACTED]
 CHECKED BY: [REDACTED]
 APPROVED BY: [REDACTED]



RESIDENTIAL
 TOTAL LOTS: 41
 TOTAL AREA: 14,304 ACRES
 LOT DENSITY: 2.13 LOTS/AC

PARCEL B & E 'C-1' COMMERCIAL
 TOTAL AREA: 17,100 S.F.
 REQUIRED PARKING: 4 SPACES/1,000 S.F. = 68 SPACES
 ACTUAL PARKING: 112 SPACES

PARCEL A & D 'C-3' COMMERCIAL
 TOTAL AREA: 47,248 S.F.
 REQUIRED PARKING: 4 SPACES/1,000 S.F. = 189 SPACES
 ACTUAL PARKING: 288 SPACES

PARCEL 'C' PHARMACY
 AREA: 14,000 S.F.
 3.5 SPACES/1,000 S.F. = 49 SPACES
 ACTUAL PARKING: 62 SPACES

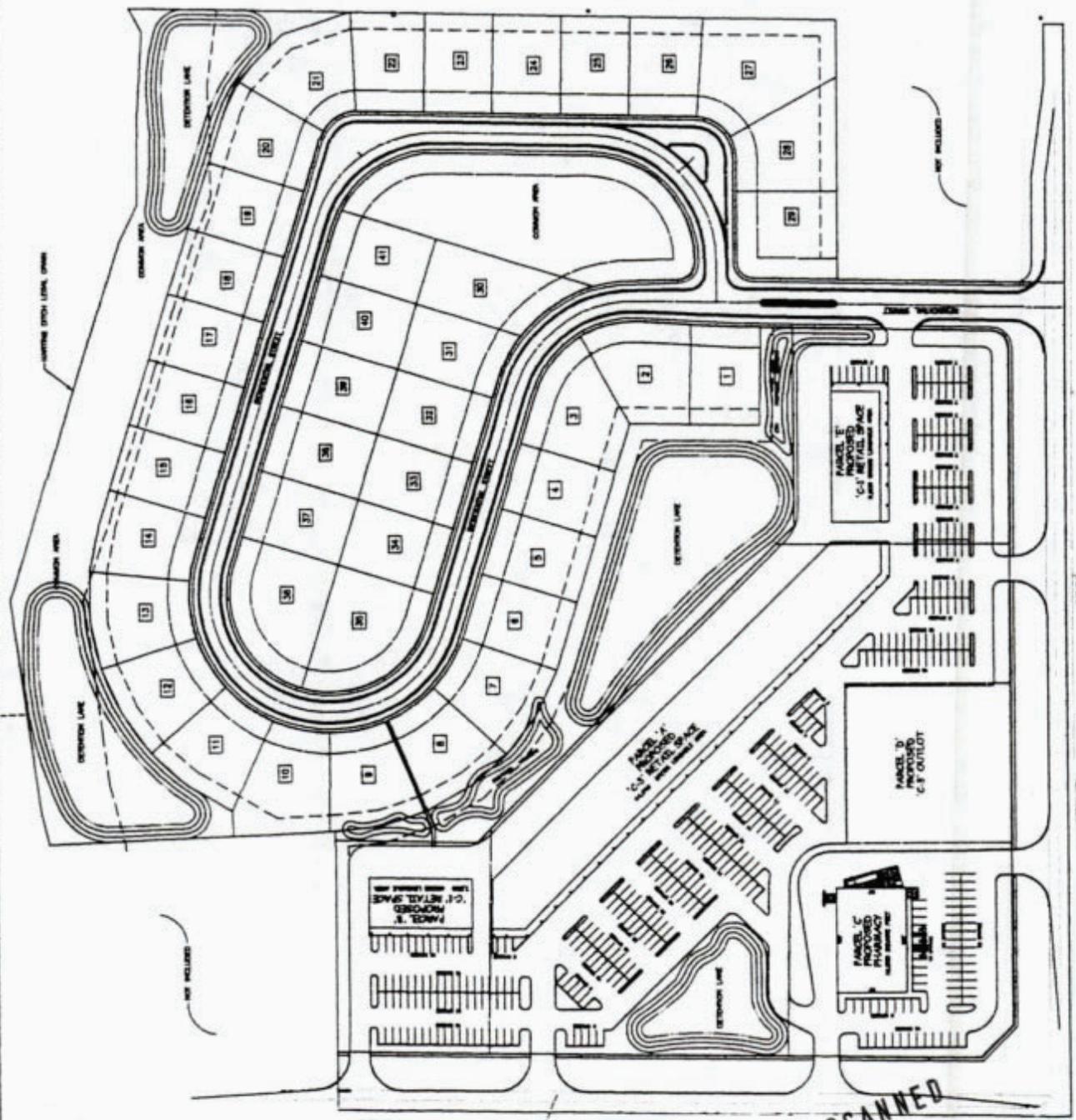


Exhibit "3"



Lifestyle Homes

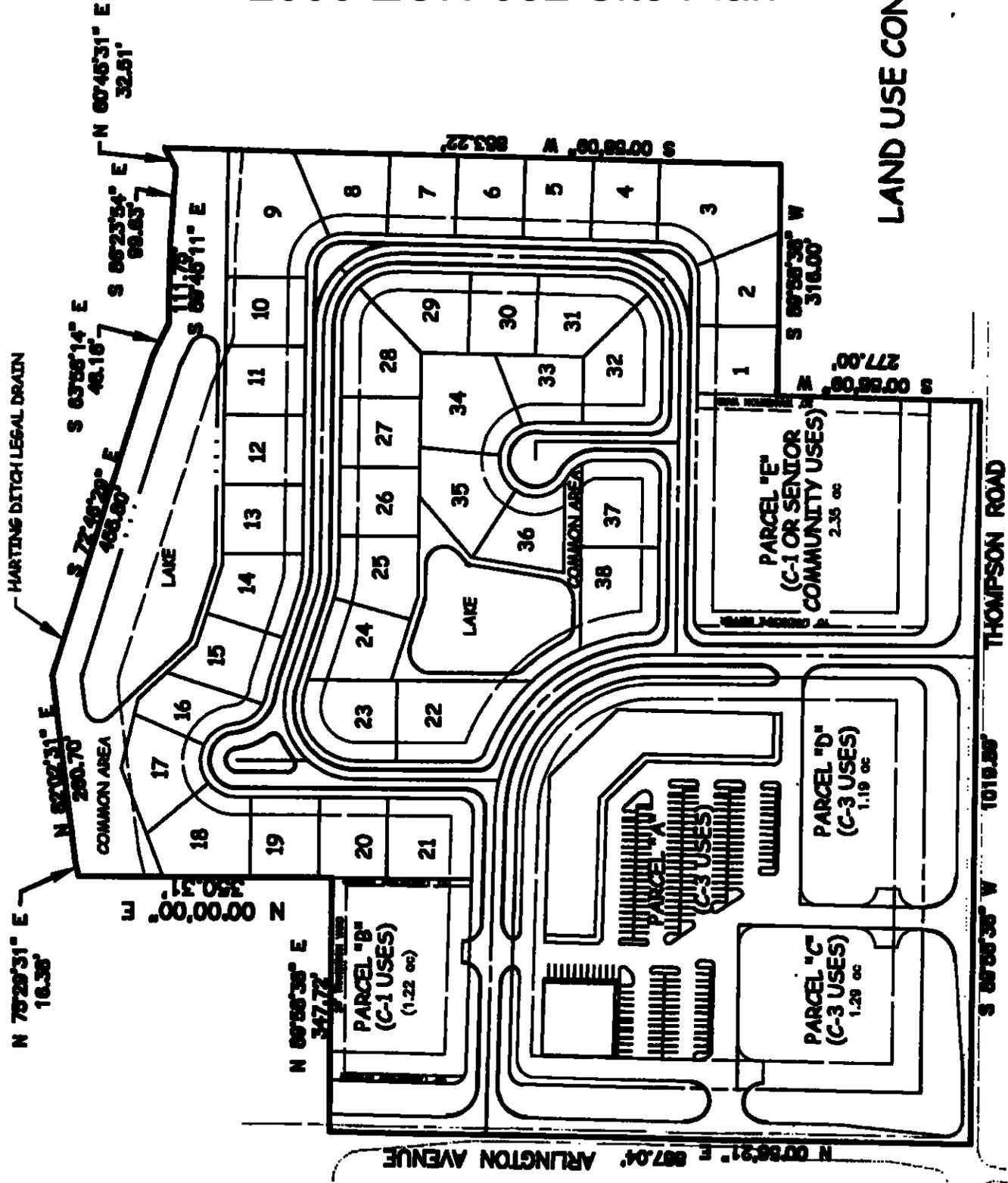
CENTEX HOMES

SCANNED

2000-ZON-032 Site Plan

LAND USE CONCEPTUAL PLAN

SCALE: 1"=200'



N 00°56'21" E 897.04' ARLINGTON AVENUE

THOMPSON ROAD

FRANKLIN CORNERS
ZONING COMMITMENTS
2025-ZON-002

1. Pedestrian access will be provided between the Town Homes to the existing commercial center.
2. A landscape buffer along Arlington Avenue will be provided consisting of 1-1/2 trees for every 35 feet (total 18 trees) and 3 shrubs every 25 feet (total of 48).
3. Townhomes will have a minimum of 50% brick on the first floor of the front elevation.
4. The vinyl siding shall be a minimum of .04 gauge.

