



**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 9, 2024

Case Number:	2024-ZON-043
Property Address:	6240 Five Points Road (Approximate Address)
Location:	Franklin Township, Council District #25
Petitioner:	James K. Butler, by Gregory J. Ilko
Current Zoning:	D-A / D-2
Request:	Rezoning of 2.9 acres from the D-A and D-2 districts to the D-2 district for single-family residential uses.
Current Land Use:	Residential
Staff Recommendations:	Approval with a commitment.
Staff Reviewer:	Marleny Iraheta, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

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 days prior to the MDC hearing:

A 40-foot half right-of-way shall be dedicated along the frontage of Five Points Road, as per the request of the Department of Public Works (DPW), Engineering Division. 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 right-of-way shall be granted within 60 days of approval and prior to the issuance of an Improvement Location Permit (ILP).

PETITION OVERVIEW

LAND USE

The 2.9-acre subject site is developed with a single-family dwelling and detached accessory structure. It is surrounded by single-family dwellings zoned D-A to the north and east and single-family dwellings zoned D-2 west and south.



REZONING

This petition would rezone the split-zoned property from the D-A and D-2 districts to the D-2 district.

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-2 district is intended for use in suburban areas. Ample yards, trees and passive open spaces easily serving each individual lot are envisioned for this district. The D-2 district has a typical density of 1.9 units per gross acre. Two- family dwellings are permitted on corner lots in this district. This district fulfills the lowest density recommendation of the Comprehensive General Land Use Plan. Public water and sewer 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 40-foot half right-of-way along Five Points Road. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Staff Analysis

The rezoning of the entire site to the D-2 district is compatible with the Suburban Neighborhood recommendation of the Comprehensive Plan. Furthermore, the D-2 district is present west and south of the site and the larger lots would meet the development standards needed for this zoning district.

Development of the proposed southernmost lot could take into account the future development of a greenway in this area although nothing is being requested for the proposed greenway at this time.

GENERAL INFORMATION

Existing Zoning	D-A / D-2	
Existing Land Use	Residential (Single-family dwelling)	
Comprehensive Plan	Suburban Neighborhood and Linear Park	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A	Residential (Single-family dwelling)

South:	D-2	Residential (Single-family dwelling)
East:	D-A	Residential (Single-family dwellings)
West:	D-2	Residential (Single-family dwellings)
Thoroughfare Plan		
Five Points Road	Primary Collector Street	80-foot proposed right-of-way and 30-foot existing right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	
Site Plan	April 9, 2024.	
Site Plan (Amended)	N/A	
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 ANALYSIS

Comprehensive Plan

- Marion County Land Use Plan Pattern Book (2019)
- Indy Greenways Full Circle Master Plan, Part One (2014)
- Infill Housing Guidelines (2021)

Pattern Book / Land Use Plan

- 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.

- **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.
- The Linear Park recommendation is a Non-Typology Land Use. These stand-alone land uses are mapped outside of the typology system due to their scale or the nature of their use.
- This land use category is intended for public or private property designated for active or passive recreation and is primarily used for the passage of people or wildlife. Examples are greenways, parkways, trails, off-street paths, and conservation areas.

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

- **BUILDING ELEVATIONS AND ARCHITECTURAL ELEMENTS**
 - **1. Utilize Foundation Styles and Heights that are Consistent with Nearby Houses:** The height of the foundation affects where doors, porches, and windows are located. Unless there are special circumstances that require additional height, such as the location is in or near a floodplain, the foundation height for new construction should be consistent with nearby buildings.
 - **2. Be Consistent with Surrounding Entry Locations:** Main entries should be visible from the street. Entries should not be hidden, obscured, or missing from the main street elevation (front). The entry should reflect a similar characteristic to those that surround it, such as formal or casual, recessed or flush, narrow or wide.
 - **3. Where Appropriate, Include Porches or Stoops:** Use context to determine if front porches are consistent elements used in the neighborhood. If so, add porches or stoops to new construction.
 - **4. Coordinate the Location and Door Style of Balconies with the Surrounding Neighborhood:** Balconies are common architectural elements in some neighborhoods, but uncommon in others. Balconies along the street should be used when appropriate. When a balcony is used, consider the appropriate door access for the type of balcony. For

example, Juliet balconies, which are intended to bring the outside in, make the most sense when French doors are used.

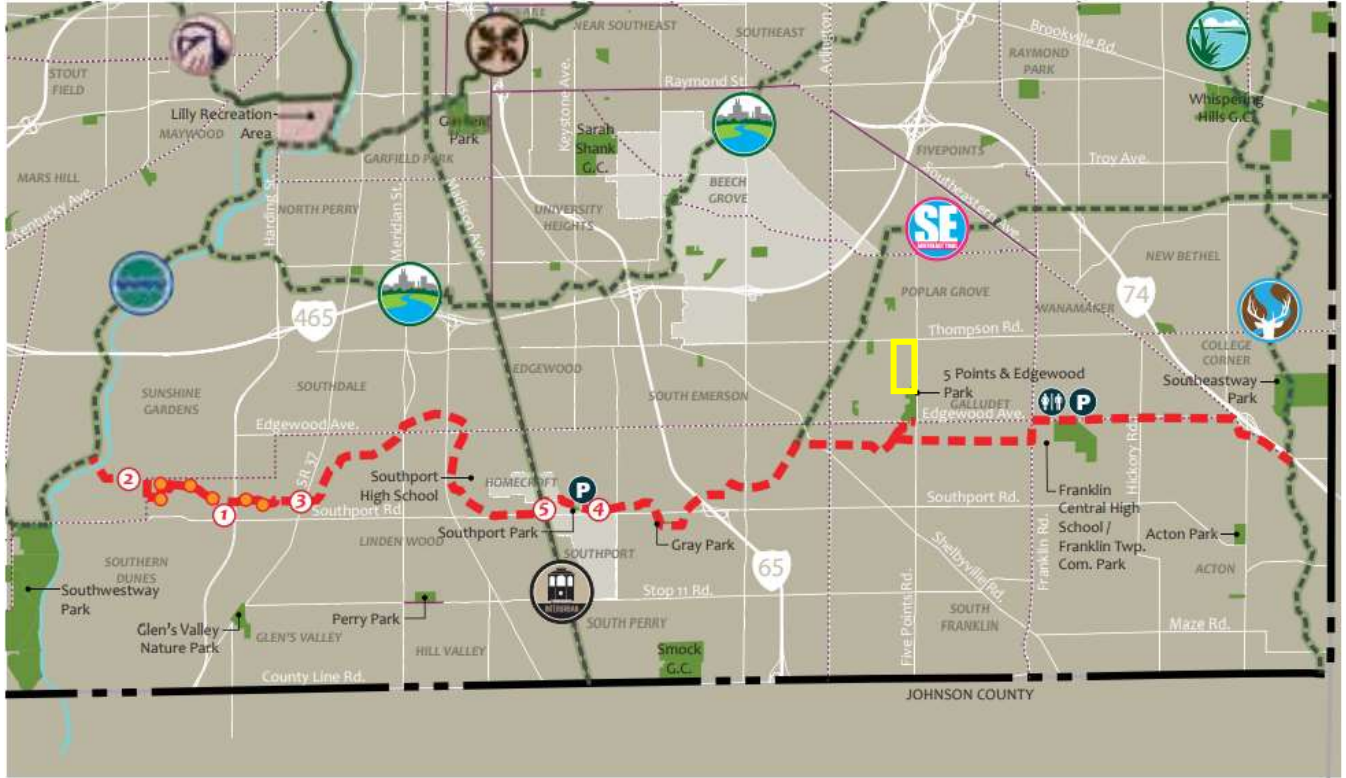
- **5. Consider Nearby Roof Styles:** The basic outline of a new building should reflect building outlines typical of the area. Roof selection and overall height contribute to the building outline. Select roof shapes that are frequently used in the neighborhood.
- **6. Fenestration Should Relate to the Surrounding Context:** Windows and doors should be arranged on buildings so as not to conflict with the basic fenestration patterns in the neighborhood. The proportion of glass (windows) to solid materials (wood, bricks, and other materials) which is found within the surrounding context should be reflected in new construction. Every elevation (sides and rear) should have windows on each story to help break up the monotony of the façade.
- **7. Materials Used Should Reflect the Context of the Neighborhood:** Introducing new materials that are not used in the existing context should be done in a way where those materials are not the dominant material and make up less than 30% of the overall façade design.
- **8. Consider Unique Neighborhood Features:** In addition to the architectural features mentioned above, consider other common features like chimneys, dormers, gables, and overhanging eaves that shape the character of a neighborhood. When possible, include these features into new construction.

Indy Moves

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

- Indy Greenways Full Circle Master Plan, Part One (2014) notes that the Little Buck Creek Greenway is proposed across the property going east to west.
- This plan seeks to establish the Little Buck Creek Greenway as an 18.3-mile greenway for the south side of Indianapolis.
- This route also provides a connection to a newly acquired park property at the Edgewood and Five Points Road intersection. Near Five Points Road, the route will turn south for approximately .3 miles to meet with a second overhead utility easement.
- The importance of this route cannot be overstated as it will become the dominate east-west greenway across the southern townships completing the southern leg of the circle. It's also one of the greenways that will be constructed in areas of the city that are still undeveloped allowing for potential partnership opportunities with developers to construct new greenway routes (similar to the process that led to the construction of the existing Little Buck Creek segments).

Map of the proposed Little Buck Creek Greenway.



The subject site is approximately located in yellow.



ZONING HISTORY

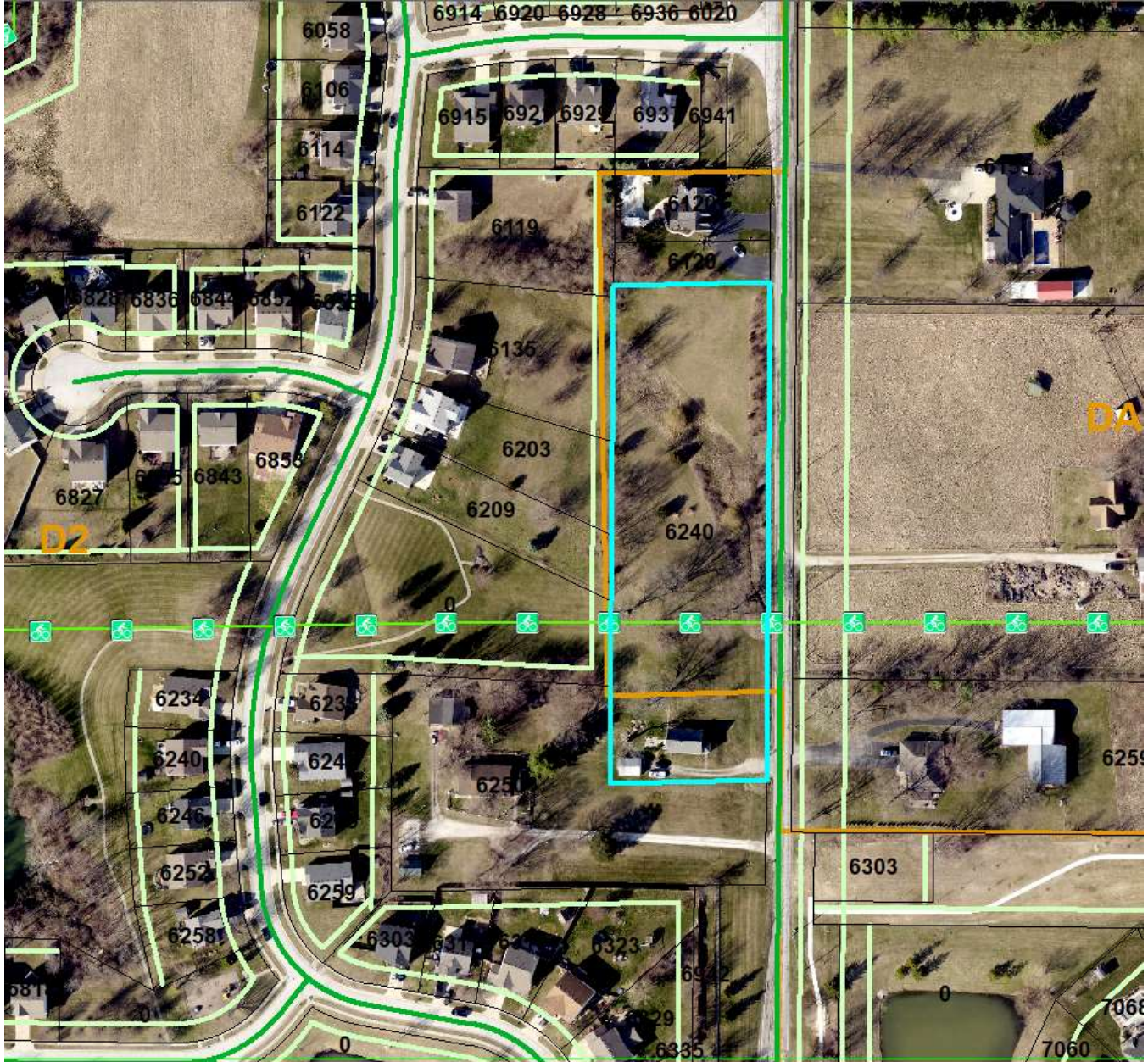
Zoning History - Vicinity

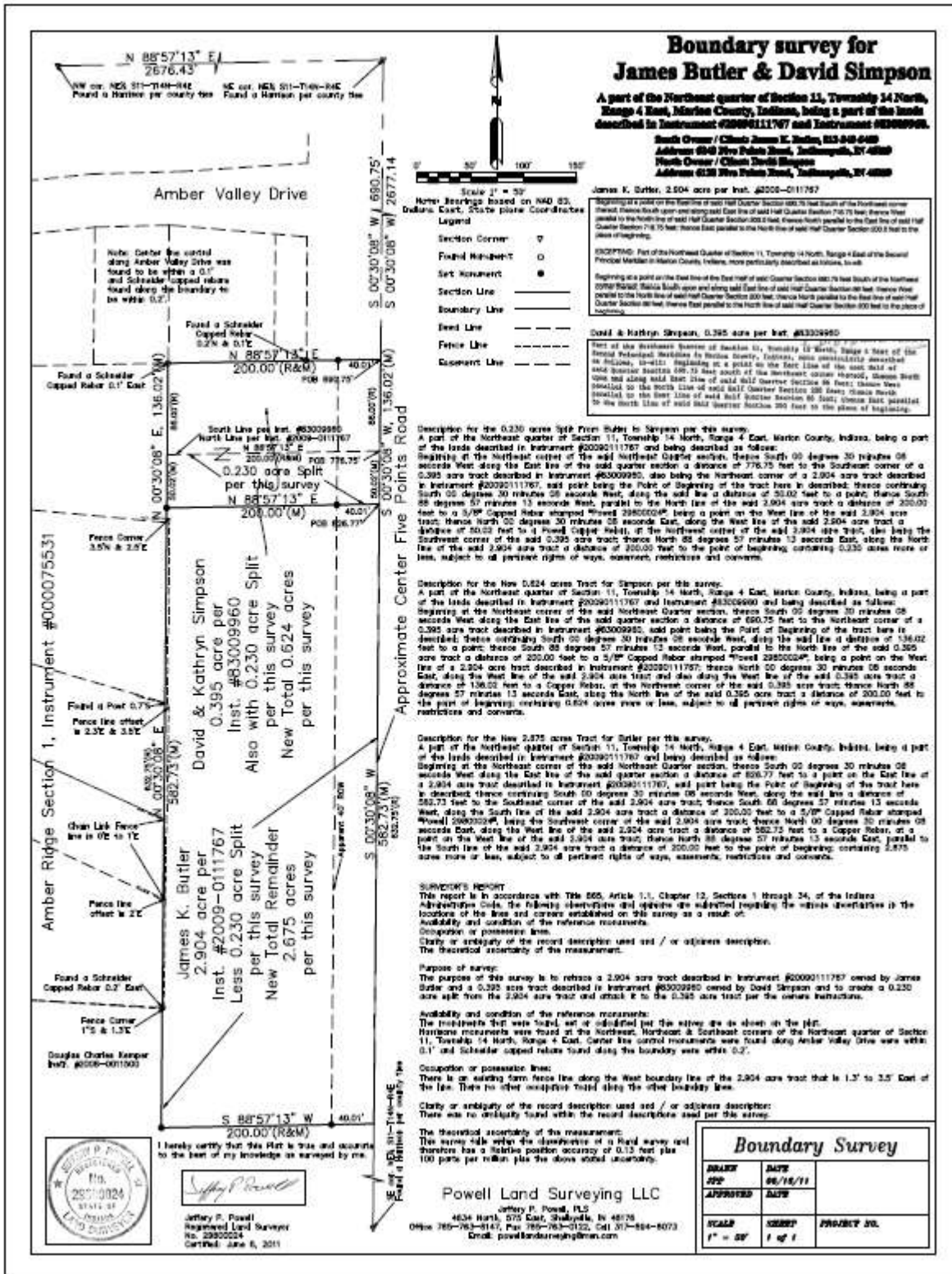
2020-ZON-026; 6259 Five Points Road (southeast of site), Rezoning of 36.39 acres from the D-A district to the D-3 district, **approved**.

2000-ZON-048; 6250 Five Points Road (west of site), Rezoning of 63.96 acres, being in the D-2 district, to the D-P classification to provide for single-family residential development, **withdrawn**.

93-Z-13; 6351 Five Points Road (southeast of site), Rezoning of 66.34 acres from D-A to D-3 to provide for single-family residential development, **approved**.

EXHIBITS





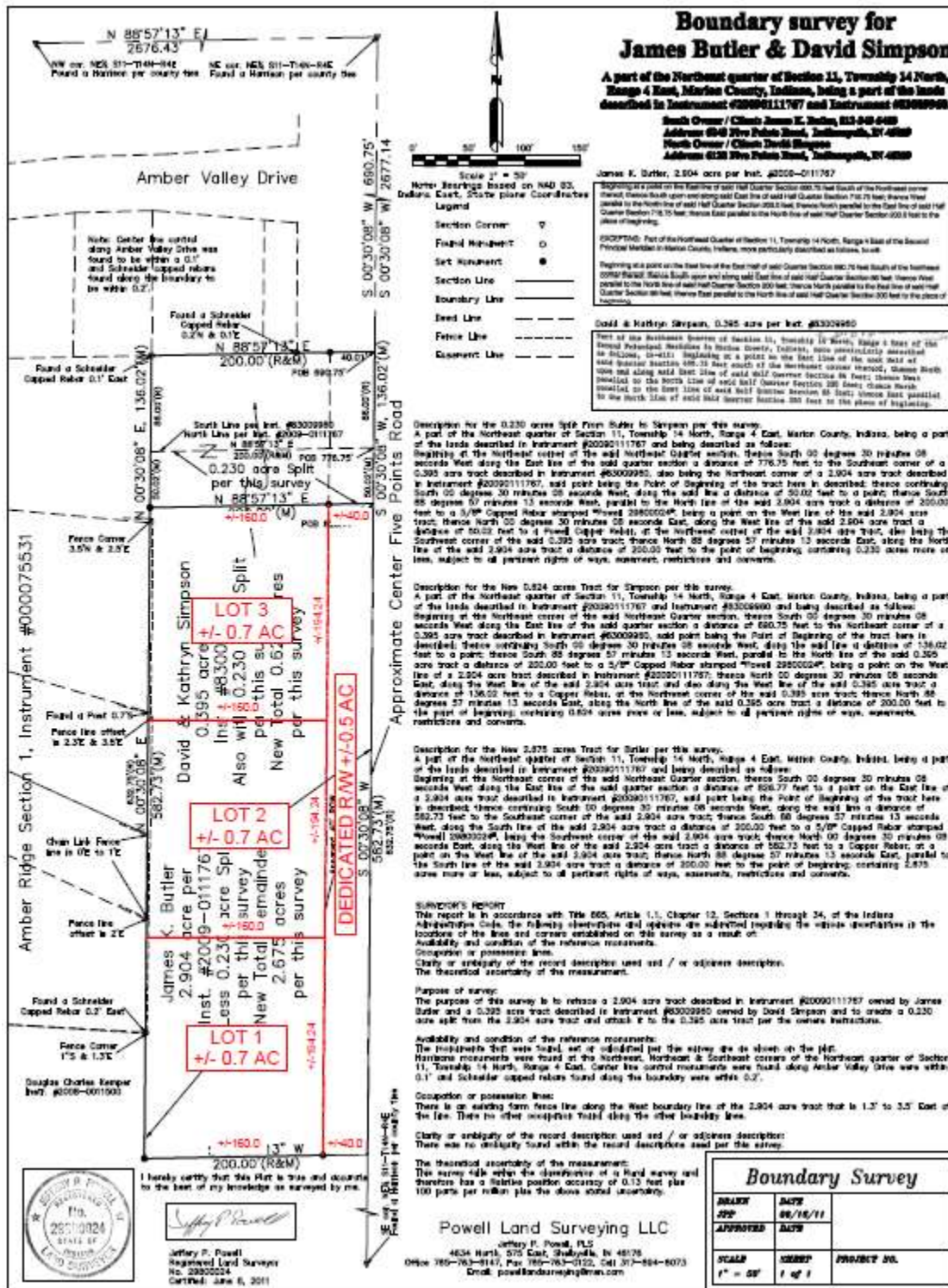




Photo of the subject site looking north.



Photo of the subject site looking west.



Photo of the subject site looking east.



Photo of the subject site looking north.



Photo of the subject site looking west.



Photo of the subject site looking west.



Photo of the subject site looking west.



Photo of the subject site looking west.



Photo of the subject site looking west.



Photo of the single-family dwelling north of the site.



Photo of the single-family dwelling east of the site.



Photo of the single-family dwelling east of the site.