

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

May 29, 2025

Case Number: 2025-MOD-007

Property Address: 10153 and 10335 East 52nd Street

Location: City of Lawrence, Lawrence Township, Council District #10

Petitioner: Arbor Homes, by Domonic Dreyer

Current Zoning: D-4

Request: Modification of Commitments, related to 2004-ZON-020, to modify Commitment #7, to provide that a final site plan shall include a stub street along the northern border of the site to the parcel located to the north at 10151 East 52nd Street, two stub streets to the large vacant parcel along 52nd Street, along the northern portion of the site and at least one stub street to the parcels at 10404 and 10412 East 46th Street (previous commitment #7 required a final site plan shall include a stub street from the western-most portion of the site to the parcel to the west, two stub streets to the large vacant parcel along 52nd Street along the northern portion of the site, and at least one stub street to the parcels at 10404 and 10412 East 46th Street)

Current Land Use: Agricultural Uses / Undeveloped

**Staff
Recommendations:** Approval

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

This is the first public hearing on this petition.

STAFF RECOMMENDATION

Approval of the modification request, subject to the following modified commitment being reduced to writing on the Commission Exhibit "C" form five days prior to the MDC hearing:

Commitment Seven of 2004-ZON-020 (Instrument #2004-0143082) shall be modified to read: A final site plan shall include a stub street along the northern border of the site to the parcel located to the north at 10151 East 52nd Street, two stub streets to the large vacant parcel along East 52nd Street along the northern portion of the site, and at least one stub street to the parcels at 10404 and 10412 East 46th Street. All other commitments shall remain in effect, except as modified by petition 2021-MOD-003 (Instrument #A2021-00047197).

PETITION OVERVIEW

This 21.244-acre site, zoned D-4, is undeveloped and surrounded by single-family dwellings and a school district transportation facility to the north, across East 52nd Street, zoned D-A, D-5II and C-S, respectively; single-family dwellings to the south, zoned D-A and D-4; undeveloped land and single-family dwellings to the east, zoned D-A and D-4, respectively; and mobile home park and a single-family dwelling to the west, zoned D-A.

MODIFICATION

The request would modify a commitment related to a stub street, specifically Commitment #7, that required the submittal of a final site plan that included a stub street from the westernmost portion of the site to the parcel to the west, two stub streets to the large vacant parcel along 52nd Street along the northern portion of the site, and at least one stub street to the parcels at 10404 and 10412 East 46th Street.

The proposed plan would eliminate the stub street along the westernmost boundary of this site because the site to the west is under development but does not provide a stub street that would connect to the subject site. Consequently, the proposed stub street along the westernmost boundary of this site would not be appropriate or necessary.

GENERAL INFORMATION

Existing Zoning	D-4	
Existing Land Use	Undeveloped / Agricultural Uses	
Comprehensive Plan	Suburban Neighborhood	
Surrounding Context	<u>Zoning</u>	<u>Land Use</u>
North:	D-A / D-5II / C-S	Single-family dwellings / transportation facility
South:	D-A / D-4	Single-family dwellings
East:	D-A / D-4	Single-family dwelling
West:	D-A	Mobile Home Park / Single-family dwellings
Thoroughfare Plan		
East 52 nd Street	Primary Collector	Existing 76-foot right-of-way and proposed 80-foot right-of-way.
Context Area	Metro	
Floodway / Floodway Fringe	No	
Overlay	No	
Wellfield Protection Area	No	

Site Plan	N/A
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

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.

Pattern Book / Land Use Plan

Not Applicable to the Site.

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)

The Marion County Thoroughfare Plan (2019) “is a long-range plan that identifies the locations classifications and different infrastructure elements of roadways within a defined area.”

The following listed items describe the purpose, policies and tools:

- Classify roadways based on their location, purpose in the overall network and what land use they serve.
- Provide design guidelines for accommodating all modes (automobile, transit, pedestrians, bicycles) within the roadway.
- Set requirements for preserving the right-of-way (ROW)
- Identify roadways for planned expansions or new terrain roadways
- Coordinate modal plans into a single linear network through its GIS database

ZONING HISTORY

2024-PLT-062; 10335 East 52nd Street, requested approval of a Subdivision Plat, to be known as Silver Stream, Section 4, subdividing 25.29 acres into 94 lots, with lots along Jade Edge Court only accessible by three local streets, with a waiver of maximum number of two local streets used by emergency vehicles requirements, per Chapter 741, Article III, Section 3.B of the Consolidated Zoning and Subdivision Ordinance, **approved**.

2021-MOD-003; 10153 and 10335 East 52nd Street and 4724 North German Church Road, requested modification of commitments related to rezoning petitions 2004-ZON-020 and 2005-ZON-061 to terminate Commitment Nine and Commitment Seven respectively to allow for a mixture of lot sizes within the development, **approved**.

2020-LUSV-08; 10001 East 52nd Street, requested a variance of use and development standards to provide for a mobile home park, with less main floor and total floor area than required, **granted**.

2005-ZON-061; 10404 East 46th Street, rezoning of 9.21 acres from the D-A (FW) (FF) District to the D-4 classification (FW) (FF), to provide for single-family residential development, **approved**.

2004-ZON-020; 10151-10853 East 52nd Street and 4724 North German Church Road (east, west and north of subject site) requests a rezoning of 150.35 acres from D-A to D-4 (FW) (FF), to provide for 510 single-family dwellings, resulting in 3.39 units per acre, **approved**.

2002-ZON-163 (2002-DP-25); 10151 East 52nd Street (north of subject site), rezoning of 63 acres from the D-A district to the D-P classification to provide for a residential development at a density of 4.24 units per acre, **withdrawn**.

2002-ZON-122 (2002-DP-013); 10940 East 42nd Street (south of subject site), requests rezoning of 77.1 acres, from D-P (FF) to D-P (FF), to provide for 282 single-family dwellings, resulting in 3.66 units per acre, **approved**.

2001-ZON-002; 10100 East 46th Street (west of subject site), requests a rezoning of five acres from D-A to SU-7, to provide for a youth housing and counseling facility, **approved**.

2000-ZON-170; 10100 East 46th Street (subject site), requests a rezoning of 5 acres from D-A to SU-7 to provide for a youth housing and counseling facility, **withdrawn**.

90-Z-208 (90-DP-5); 4545 Mitthoefer Road (south of subject site), rezone 96.8 acres from D-A (FP) to the D-P (FP) classification, to provide for 305 single-family dwellings and 75 two-family dwellings, **approved**.

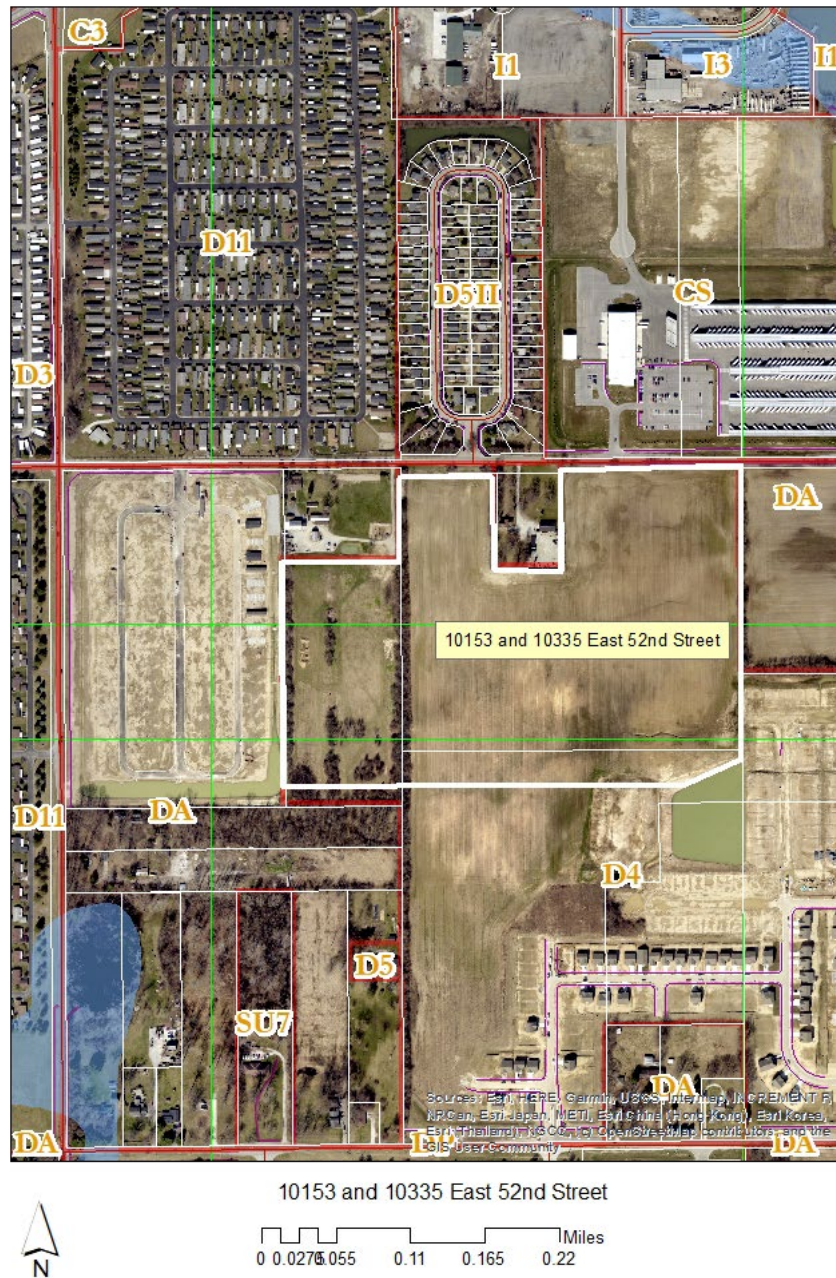


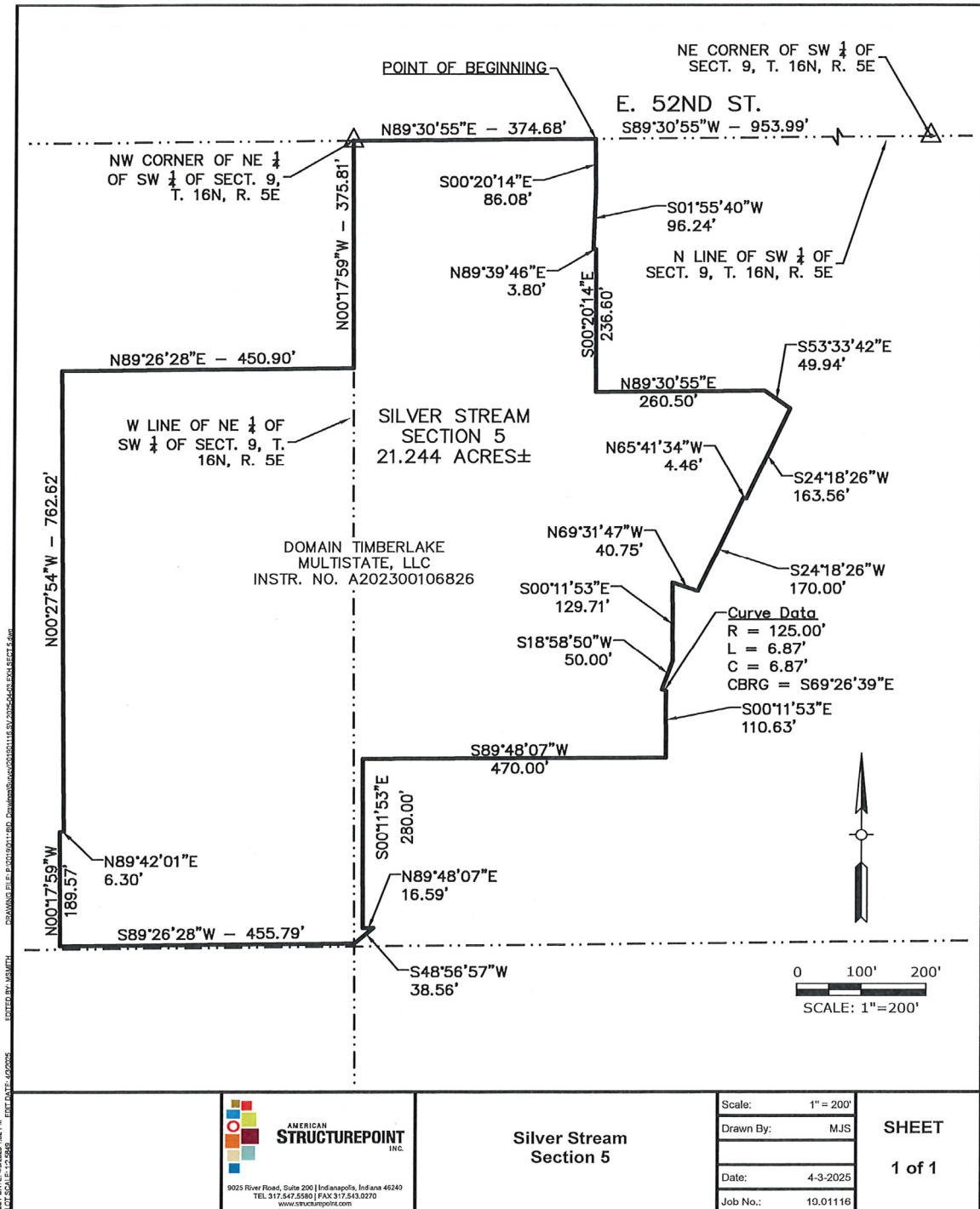
Department of Metropolitan Development
Division of Planning
Current Planning

76-Z-87; 4457 Mitthoefer Road (west of subject site), rezone 16.64 acres from A-2 to the D-5 classification, to provide for residential development, **approved**.

68-Z-232; 10100 42nd Street (west of subject site), rezone 23.758 acres from D-7 to the D-6II classification, to provide for multi-family residential development, **approved**.

EXHIBITS







View looking west along East 52nd Street



View looking east along East 52nd Street



View of site (western portion) looking west across East 52nd Street



View of site (western portion) looking south across East 52nd Street



View of site (western portion) looking southeast across East 52nd Street



View of site (eastern portion) looking southwest across East 52nd Street



View of site (eastern portion) looking south across East 52nd Street



View of site (eastern portion) looking southeast across East 52nd Street



View of site looking east along East 52nd Street



View from site looking north across East 52nd Street (school transportation facility)