

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER**

December 11, 2025

Case Number: 2025-ZON-062 (Amended) / 2025-VAR-007

Property Address: 5709 Five Points Road and 7340 East Edgewood Avenue

Location: Franklin Township, Council District #25

Petitioner: Grand Communities, LLC, by Brian J. Tuohy

Current Zoning: D-A (FF)
Rezoning of 64.84 acres from the D-A (FF) district to the D-4 (FF) district to provide for residential development.

Request: Variance of Development Standards of the of the Consolidated Zoning and Subdivision Ordinance to provide for reduced lot width of 68 feet and lot area of 8,500 square feet for duplexes (90-foot lot width and 10,000-square foot lot area required), 56% reduced open space (65% required), and to provide for three monument signs (maximum of two monument signs for each residential community permitted).

Current Land Use: Single-family dwelling / accessory buildings / agricultural uses

Staff Recommendations: Approval of the rezoning request and variance requests.

Staff Reviewer: Kathleen Blackham, Senior Planner

PETITION HISTORY

The Hearing Examiner continued these petitions from the from the July 10, 2025 hearing, to the August 14, 2025 hearing, to provide additional time for further discussions and submittal of the Traffic Impact Study (TIS).

The Hearing Examiner continued these petitions from the August 14, 2025 hearing, to the September 11, 2025 hearing, to provide additional time for continued discussions with the petitioner and their representative, along with submittable and review of the TIS.

The Hearing Examiner continued these petitions from the September 11, 2025 hearing, to the October 9, 2025 hearing, to provide additional time to amend the request and provide new notice.

The Hearing Examiner continued these petitions from the October 9, 2025 hearing, to the November 13, 2025 hearing, at the request of staff to provide additional time for the TIS to be submitted and reviewed.

STAFF RECOMMENDATION

Approval of these requests, subject to the following commitments being reduced to writing on the Commission's Exhibit "B" forms at least three days prior to the MDC hearing.

1. A 40-foot half right-of-way shall be dedicated along the frontage of Five Points Road and a 40-foot half right-of-way shall be dedicated along the frontage of East Edgewood Avenue, 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).
2. A southbound left-turn lane along Five Points Road at Entrance A shall be constructed in accordance with the recommendations of the TIS and the DPW.
3. A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development; b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.
4. A technical assessment shall be conducted prior to the issuance of an Improvement Location Permit to provide for a wetlands delineation to determine the type and quality and how the area could be preserved and integrated into the development as an amenity.

PETITION OVERVIEW

This 64.84-acre site, zoned D-A (FF), is developed with a single-family dwelling, accessory buildings, and agricultural uses. It is surrounded by single-family dwellings to the north, zoned D-3 (FF); single-family dwellings to the south, zoned D-P (FF); undeveloped land to the east, zoned SU-2; and open space to the west, across Five Points Road, zoned D-P.

REZONING

The request would rezone the site to the D-4 (FF) district to provide for residential development. "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."

The Comprehensive Plan recommends suburban neighborhood typology for the western portion of the site and rural or estate neighborhood for the eastern portion of the site.

Recommended land uses in the suburban neighborhood typology include detached housing; attached housing; multi-family housing; assisted living facilities / nursing homes; group homes; bed and breakfast; small-scale offices, retailing, and personal or professional services; small-scale schools, places of worship, neighborhood-serving institutions / infrastructure, and other places of assembly; large-scale schools, places of worship; community-serving institutions / infrastructure, and other places of assembly; small-scale parks; and community farms / gardens.

Recommended land uses in the rural or estate neighborhood typology include detached housing, working farms, groups homes, bed / breakfast, and wind / solar farms.

As proposed, the rezoning request would be consistent with Comprehensive Plan recommendations, including but not limited to housing type and density.

Site Plan

The site plan, file dated September 8, 2025, provides for 176 lots consisting of 100 single-family dwellings and 76 duplexes (paired patio homes).

Access would be from East Edgewood Avenue and Five Points Road, both of which would be boulevard entrances. One stub street along the northern boundary and two stub streets along the southern boundary would provide additional access connections to the subdivision to the north and south.

Staff would note that support of the rezoning request does not include approval of the site plan that would be required to go through the platting process.

Overlays

This site is also located within an overlay, specifically the Environmentally Sensitive Areas (ES) Overlay. "Overlays are used in places where the land uses that are allowed in a typology need to be adjusted. They may be needed because an area is environmentally sensitive, near an airport, or because a certain type of development should be promoted. Overlays can add uses, remove uses, or modify the conditions that are applied to uses in a typology."

The Environmentally Sensitive Areas (ES) Overlay is intended for areas containing high quality woodlands, wetlands, or other natural resources that should be protected. The purpose of this overlay is to prevent or mitigate potential damage to these resources caused by development. This overlay is also appropriate for areas that present an opportunity to create a new environmental asset. This overlay is not intended for the preservation of open space.

The eastern portion of the site is located within the ES overlay because of high quality woodlands, Horn Creek floodplain and wetlands.

Tree Preservation / Heritage Tree Conservation

The eastern portion of the site is heavily wooded and covered by high quality woodlands, specifically identified as Forest Alliance Woodlands. There are other scattered areas of trees throughout the site. Due to their inherent ecological, aesthetic, and buffering qualities, the maximum number of these existing trees should be preserved on the site.

All development shall be in a manner that causes the least amount of disruption to the trees.

A tree inventory, tree assessment and preservation plan of all existing trees over 2.5 inches in diameter, shall be prepared by a certified arborist and shall be submitted for Administrator Approval prior to preliminary plat approval and / or prior to any site preparation activity or disturbance of the site. This plan shall, at a minimum: a) indicate proposed development, b) delineate the location of the existing trees, c) characterize the size and species of such trees, d) identify all heritage trees, e) indicate the wooded areas to be saved by shading or some other means of indicating tree areas to be preserved and f) identify the method of preservation (e.g. provision of snow fencing or staked straw bales at the individual tree's dripline during construction activity). All trees proposed for removal shall be indicated as such.

If any of the trees are heritage trees that would be impacted, then the Ordinance requires that the Administrator, Urban Forester or Director of Public Works determine whether the tree(s) would be preserved or removed and replaced.

The Ordinance defines "heritage tree" as a tree over 18 inches Diameter at Breast Height (DBH) and one of the Heritage tree species. Heritage tree species include: Sugar Maple (*Acer saccharum*), Shagbark Hickory (*Carya ovata*), Hackberry (*Celtis occidentalis*), Yellowwood (*Cladrastus kentukea*), American Beech (*Fagus grandifolia*), Kentucky Coffeetree (*Gymnocladus dioica*), Walnut or Butternut (*Juglans*), Tulip Poplar (*Liriodendron tulipifera*), Sweet Gum (*Liquidambar styraciflua*), Black Gum (*Nyssa sylvatica*), American Sycamore (*Platanus occidentalis*), Eastern Cottonwood (*Populus deltoides*), American Elm (*Ulmus americana*), Red Elm (*Ulmus rubra*) and any oak species (*Quercus*, all spp.)

The Ordinance also provides for replacement of heritage trees if a heritage tree is removed or dies within three years of the Improvement Location Permit (ILP) issuance date. See Exhibit A, Table 744-503-3: Replacement Trees.

Floodway / Floodway Fringe

This site has a secondary zoning classification of a Floodway (FW) and Floodway Fringe (FF). The Floodway (FW) is the channel of a river or stream, and those portions of the floodplains adjoin the channels which are reasonably required to efficiently carry and discharge the peak flood flow of the base flood of any river or stream. 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 purpose of the floodway district is to guide development in areas identified as a floodway. The Indiana Department of Natural Resources (IDNR) exercises primary jurisdiction in the floodway district under the authority of IC 14-28-1.

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 Ordinance and all other applicable City Ordinances.

Stream Protection Corridor

A stream protection corridor consists of a strip of land, extending along both sides of all streams, with measurements taken from the top of the bank on either side. The width of the corridor is based upon whether the stream is designated as a Category One or Category Two. Category One streams have a corridor width of 60 feet in the compact context area and 100 feet in the metro context area. Category Two streams have a corridor width of 25 feet in the compact context area and 50 feet in the metro context area.

Construction projects over one (1) acre are subject to the requirements of the Environmental Protection Agency (EPA) General Permit and Indiana Department of Environmental Management (IDEM) Construction Stormwater General Permit (CSGP).

The vegetative target for the Stream Protection Corridor is a variety of mature, native riparian tree and shrub species that can provide shade, leaf litter, woody debris, and erosion protection to the stream, along with appropriate plantings necessary for effective stream bank stabilization.

The Stream Protection Corridor is defined as:

“A vegetated area, including trees, shrubs, and herbaceous vegetation, that exists or is established to protect a stream system, lake, or reservoir, and where alteration is strictly limited. Functionally, stream protection corridors provide erosion control, improve water quality (lower sedimentation and contaminant removal) offer flood water storage, provide habitat, and improve aesthetic value.”

Stream is defined as “a surface watercourse with a well-defined bed and bank, either natural or artificial that confines and conducts continuous or periodic flowing water.”

Stream Bank is defined as “the sloping land that contains the stream channel and the normal flows of the stream.”

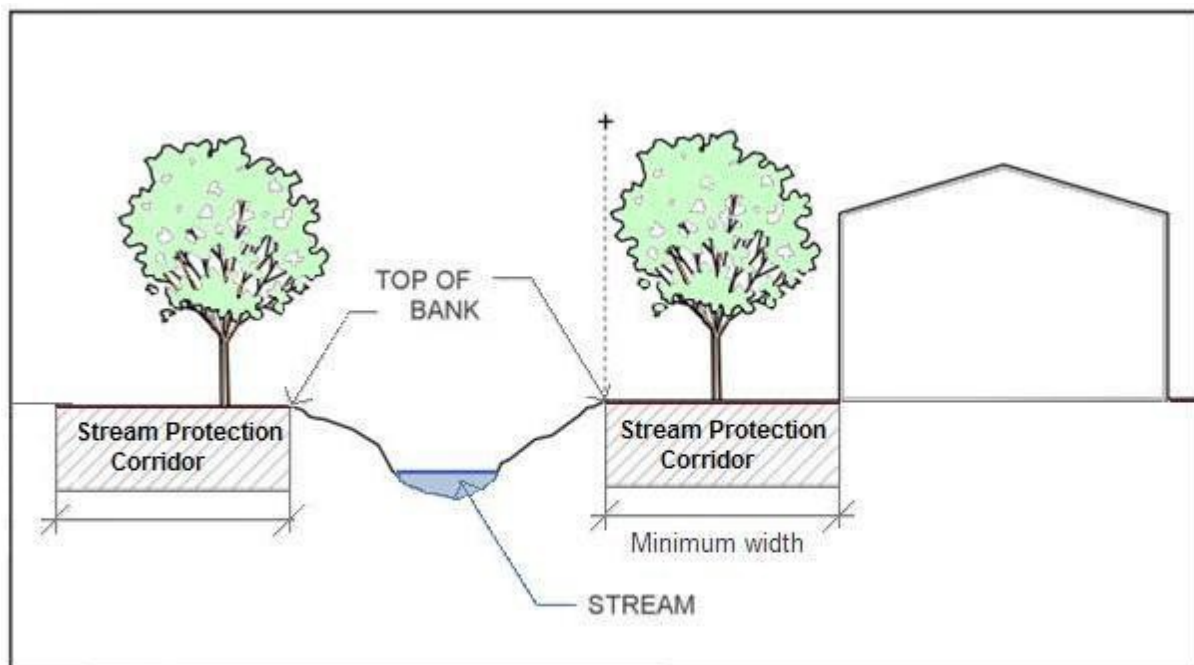
Stream Channel is defined as “part of a watercourse that contains an intermittent or perennial base flow of groundwater origin.”

There are two types of categories of Streams: Category One Streams and Category Two Streams. Category One Stream is defined as: “A perennial stream that flows in a well-defined channel throughout most of the year under normal climatic conditions. Some may dry up during drought periods or due to excessive upstream uses. Aquatic organism such as some fish are normally present and easily found in these streams. The Category One Streams are listed in Table 744-205-2: Category One Streams.”

A Category Two Stream is defined as: “An intermittent stream that flows in a well-defined channel during wet seasons of the year but not necessarily for the entire year. These streams generally exhibit signs of water velocity sufficient to move soil, material, litter, and fine debris. Aquatic organisms, such as fish, are often difficult to find or not present at all in these streams. These streams are identified on the United States Geological Survey (USGS) topographic maps and on the Department of Natural Resources Conservation Service (NRCS) soils maps.”

There are 34 Category One streams listed in the Ordinance. The stream protection corridor is a strip of land on both sides of the stream whose width varies according to whether it is within the Compact or Metro Context Area and whether it is a Category One or Category Two Stream.

Horn Creek lies within the Metro Context Area and is located along the eastern portion of the site. It is designated as a Category Two stream requiring a 50-foot-wide stream protection corridor on both sides of the stream, as measured parallel from the top of the bank. Top of the bank is not defined by the Ordinance, other than by Diagram UU, Stream Protection Corridor Cross-section, as shown below.



Stream Protection Corridor

Wetland Preservation

The aerial indicates a possible wetlands located along the entire length of Horn creek.

The Environmental Protection Agency defines wetlands “as areas where water covers the soil or is present either at or near the surface of the soil all year or for varying periods of time during the year, including during the growing season. Water saturation (hydrology) largely determines how the soil develops and the types of plant and animal communities living in and on the soil. Wetlands may support both aquatic and terrestrial species. The prolonged presence of water creates conditions that favor the growth of specially adapted plants (hydrophytes) and promote the development of characteristic wetland (hydric) soils.”

The State of Indiana defines wetlands as “areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include: (1) swamps; (2) marshes; (3) bogs; and (4) similar areas.”

Staff believes that a technical assessment that would include a wetlands delineation would determine the type and quality of the wetland based on the presence or absence of wetlands characteristics, as determined with the *Wetlands Delineation Manual, Technical Report Y-81-1* of the United States Army Corps of Engineers.

Department of Public Works

The Department of Public Works, Traffic Engineering Section, has requested the dedication and conveyance of a 40-foot half rights-of-way along Five Points Road and East Edgewood Avenue. This dedication would also be consistent with the Marion County Thoroughfare Plan.

Traffic Impact Study (TIS)

The parameter used to evaluate traffic operation conditions is referred to as the level-of-service (LOS). There are six LOS (A through F) categories, which relate to driving conditions from best to worst, respectively. LOS directly relates to driver discomfort, frustration, fuel consumption and lost travel time. Traffic operating conditions at intersections are considered to be acceptable if found to operate at LOS D or better.

The purpose of the study is to assess the traffic impacts the proposed development would have on operations of the surrounding roadways within the study area, including impacts to the entrances at Edgewood Intermediate School.

The study area included Edgewood Avenue from its intersection with Shelbyville Road to the west and the Edgewood Intermediate School (EIS) east entrance to the east. Additionally, Five Points Road from its intersection with Kidwell Drive / Lily Pad Lane to the north and Edgewood Avenue to the south is included in the study area.

The following intersections were analyzed as part of the study:

1. Five Points Road at Kidwell Drive
2. Edgewood Avenue at Five Points Road Roundabout
3. Edgewood Avenue at Edgewood Intermediate School West Entrance/Moonstruck Parkway
4. Edgewood Avenue at Edgewood Intermediate School East Entrance
5. Edgewood Avenue at Arlington Avenue Roundabout
6. Edgewood Avenue at Shelbyville Road

Capacity analysis occurs for three different scenarios. Scenario One is based on the 2025 existing traffic volumes. Scenario Two is based on 2028 background traffic volumes, including 1% annual growth rate for forecasting existing traffic volumes out to the 2028 horizon year and trips generated from the remaining build-out of Sapphire Ridge. Scenario Three is based on the Year 2028 Combined Traffic, including background traffic volumes plus projected site traffic from the development at full build-out.

Conclusions and Recommendations

1. Five Points Road at Kidwell Drive / Lily Pad Lane

The eastbound and westbound stop-controlled approaches of Lily Pad Lane / Kidwell Drive at Five Points Road operate at LOS “D” and “F” respectively under year 2025 existing and 2028 background PM peak hour traffic conditions. With the additional of the development site traffic to Five Points Road, the eastbound approach level of service decreases to LOS “E”. Unsatisfactory levels of service are anticipated for stop-controlled approaches to major collector streets for short durations during peak traffic periods. It is anticipated that the Kidwell Drive and Lily Pad Lane approaches will continue to operate satisfactory with acceptable gaps to safely turn onto Five Points Road the majority of the day when Five Points Road volumes are not at peak levels.

2. Edgewood Avenue at Five Points Road

The single-lane roundabout was observed operating well with minimal delay during both the existing AM and PM peak hours. With the added development site traffic in year 2028, all peak hour turning movements are still projected to operate at LOS “C” or better. As a result, no improvements are recommended at the Edgewood Avenue and Five Points Road Intersection.

3. Edgewood Avenue at Edgewood Intermediate School West Entrance

The northbound and southbound stop-controlled approaches of Moonstruck Parkway and the Edgewood Intermediate School west entrance both currently operate at LOS “F” during the AM peak hour. This is typical for short durations of time during peak traffic periods for stop-controlled approaches to a minor arterial such as Edgewood Avenue. This is especially true with increased school traffic using the west entrance for student drop-off when volumes exiting the Glen Ridge residential subdivision to the south and along Edgewood Avenue are the highest of the morning. During the afternoon peak hour, all turning movements at the west entrance operate satisfactory at LOS “C” or better in year 2028 with the additional development site traffic. It should be noted that the west entrance for Edgewood Elementary School is also used for passenger car access during student drop-off and pick-up. The car rider line originates around the rear (west side) of the school building and extends south along the western drive toward Edgewood Avenue. During afternoon pick-up, once

the car-rider line extends to a point close to Edgewood Avenue, additional lanes are used along the west edge of the parking lot to store additional vehicles on-site as necessary to avoid impacting traffic operations on Edgewood Avenue. Edgewood Intermediate School Principal Dr. Michael Gaines and a school resource officer also both confirmed their car rider line operates very well to ensure there is minimal to no impact on traffic progression along Edgewood Avenue at the western school entrance.

4. Edgewood Avenue at Edgewood Intermediate School West Entrance

The northbound and southbound stop-controlled approaches of Moonstruck Parkway and the Edgewood Intermediate School west entrance both currently operate at LOS “F” during the AM peak hour. This is typical for short durations of time during peak traffic periods for stop-controlled approaches to a minor arterial such as Edgewood Avenue. This is especially true with increased school traffic using the west entrance for student drop-off when volumes exiting the Glen Ridge residential subdivision to the south and along Edgewood Avenue are the highest of the morning. During the afternoon peak hour, all turning movements at the west entrance operate satisfactory at LOS “C” or better in year 2028 with the additional development site traffic. It should be noted that the west entrance for Edgewood Elementary School is also used for passenger car access during student drop-off and pick-up. The car rider line originates around the rear (west side) of the school building and extends south along the western drive toward Edgewood Avenue. During afternoon pick-up, once the car-rider line extends to a point close to Edgewood Avenue, additional lanes are used along the west edge of the parking lot to store additional vehicles on-site as necessary to avoid impacting traffic operations on Edgewood Avenue. Edgewood Intermediate School Principal Dr. Michael Gaines and a school resource officer also both confirmed their car rider line operates very well to ensure there is minimal to no impact on traffic progression along Edgewood Avenue at the western school entrance.

5. Edgewood Avenue at Arlington Avenue

The existing single-lane roundabout at Arlington Avenue and Edgewood Avenue operates at satisfactory levels of service of “C” or better for all peak hour turning movements other than the northbound approach. The northbound turn movements are projected to operate at LOS “D” under year 2028 PM peak hour background traffic volumes. Some queuing was already observed on the south approach of the roundabout during the PM peak hour. With the additional site traffic from the development, the PM peak hour northbound approach will continue to operate at LOS “D” in year 2028. Although no improvements are recommended as part of this study, the intersection should continue to be monitored to determine when a dedicated northbound right turn lane should be added to ensure the south approach continues to operate satisfactorily.

6. Edgewood Avenue at Shelbyville Road

The multi-way stop-controlled intersection is presently experiencing significant delay and unsatisfactory operations for the westbound and northbound approaches in the AM peak hour and all approaches during the PM peak hour. With five other existing roundabouts already in place along the Edgewood Avenue corridor east of Madison Avenue, conversion of this intersection to a single-lane roundabout is recommended to mitigate the current operational issues at the intersection. A roundabout produces satisfactory operations of LOS “B” or better in all year 2028 combined peak hour traffic scenarios with the development fully built-out. Additionally, the pavement condition is poor within the intersection limits having been patched numerous times before and in need of full-depth

reconstruction. It should be noted that the proposed development is projected to add very minimal volume to this intersection based on the existing traffic patterns within the study area.

Entrance A along Five Points Road

All peak hour turning movement at full build-out of the development are projected to operate at LOS “C” or better with one travel lane exiting the site. Based on turn lane criteria outlined in the Indiana Design Manual 6, Figures 46-4A and 46-4C, a northbound right-turn lane is not required for the intersection, but a southbound left-turn lane is warranted.

Entrance B along Edgewood Avenue

Based on the conceptual site plan, a higher density of residential lots is in closer proximity to Entrance A. As a result, less volume is ultimately projected to utilize entrance B along Edgewood. No turn lanes are warranted and all peak hour turning movement volumes will operate at LOS “C” or better in 2028 when the development is complete.

VARIANCE OF DEVELOPMENT STANDARDS

Four variances are requested related to lot width, lot area and open space of the duplex lots, and an additional monument sign.

The Ordinance requires a lot width of 90 feet and lot area of 10,000 square feet for duplexes. This request would allow for a reduced lot width of 68 feet and a reduced lot area of 8,500 square feet. Because the proposed development would offer two housing typologies, along with the development limitations present with the environmentally sensitive area, staff believes the reduction of the lot width and lot area would be supportable in exchange for limited encroachment into the eastern portion of the site.

The request would reduce the required open space to 56% when the Ordinance requires 65% open space. Staff believes the reduced open space would be supportable.

The Ordinance allows for a maximum of two monument signs for each residential community. This request would allow for three monument signs.

Monument signs are proposed at each of the entrances along Five Points Road and East Edgewood Avenue. Due to the configuration of the site and its boundaries abutting the residential community to the south and west, a third monument sign would be allowed in the interior of the site to identify this proposed development.

GENERAL INFORMATION

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| Existing Zoning | D-A (FF) | |
| Existing Land Use | Single-family dwelling / accessory buildings / agricultural uses | |
| Comprehensive Plan | Suburban Neighborhood / Rural or Estate Neighborhood | |
| Surrounding Context | <u>Zoning</u> | <u>Land Use</u> |
| North: | D-3 (FF) | Single family dwellings |
| South: | D-P | Single-family dwellings |
| East: | Undeveloped land | Educational uses |
| West: | D-P | Open space |
| Thoroughfare Plan | | |
| East Edgewood Avenue | Secondary Arterial | Existing 82-102-foot right-of-way and proposed 80-foot right-of-way. |
| Five Points Road | Primary Collector | Existing 45-65-foot right-of-way and proposed 80-foot right-of-way. |
| Context Area | Metro | |
| Floodway / Floodway Fringe | Yes. 500-year floodplain (unregulated) of Horn Creek | |
| Overlay | Yes. Environmentally Sensitive Areas (ES) | |
| Wellfield Protection Area | No | |
| Site Plan | June 1, 2025 | |
| Site Plan (Amended) | September 8, 2025 | |
| Elevations | N/A | |
| Elevations (Amended) | N/A | |
| Landscape Plan | N/A | |
| Findings of Fact | September 11, 2025 | |
| Findings of Fact (Amended) | N/A | |
| C-S/D-P Statement | N/A | |

COMPREHENSIVE PLAN ANALYSIS

Comprehensive Plan

The Comprehensive Plan recommends Suburban Neighborhood typology for the western portion 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. 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.”

The Comprehensive Plan also recommends the rural or estate neighborhood typology for the eastern portion of the site. “The Rural or Estate Neighborhood typology applies to both rural or agricultural areas and historic, urban areas with estate-style homes on large lots. In both forms, this typology prioritizes the exceptional natural features – such as rolling hills, high quality woodlands, and wetlands – that make these areas unique. Development in this typology should work with the existing topography as much as possible. Typically, this typology has a residential density of less than one dwelling unit per acre unless housing is clustered to preserve open space.”

Pattern Book / Land Use Plan

The Comprehensive Plan consists of two components that include The Marion County Land Use Pattern Book (2019) and the land use map. The Pattern Book provides a land use classification system that guides the orderly development of the county and protects the character of neighborhoods while also being flexible and adaptable to allow neighborhoods to grow and change over time.

The Pattern Book serves as a policy guide as development occurs. Below are the relevant policies related to this request:

Conditions for All Land Use Types – Suburban Neighborhood Typology

- 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 - Suburban Neighborhood Typology

- 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 five 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 - Suburban Neighborhood Typology

- 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

Attached Housing - Suburban Neighborhood Typology

- Duplexes should be located on corner lots, with entrances located on different sides of the lot or otherwise interspersed with detached housing.
- Duplexes should be architecturally harmonious with adjacent housing.
- Townhomes should be organized around intersections of neighborhood collector streets, greenway

Modified Uses (Environmentally Sensitive Areas)- Suburban Neighborhood Typology

- Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.
- Attached Housing - Any development impacting wetlands or high-quality woodlands should include a one-for-one replacement of such features. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 20% of the entire parcel as tree canopy or naturalized area.

Detached Housing – Rural or Estate Neighborhood Typology

- Should preserve open space.
 - In older, established historic areas, lots should be deep and narrow with deep setbacks. This allows for city services such as streets and sewer lines to be used more efficiently. Mature trees should be preserved whenever possible.
 - In more rural areas, the protection of open space is even more critical. Lots should be both deep and wide.
- Denser development is appropriate only if the houses are clustered together and public open space is provided.
- “Flag lots” (lots that are behind other lots, buildings, or otherwise not visible from the road) should be avoided.
- Lots should be no larger than one and a half times the adjacent lots.

Modified Uses (Environmentally Sensitive Areas)- Rural or Estate Neighborhood Typology

- Detached Housing - Should be oriented to minimize impact on the natural environment, including trees, wetlands, and exceptional topography. Housing is significantly discouraged in floodplains. Additionally, development should preserve or add at least 30% of the entire parcel as tree canopy or naturalized area.

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

2021-ZON-142; 7340 East Edgewood Avenue (south of site), requested rezoning of 52.19 acres from the D-A (FW) district to the D-P (FW) classification to provide for 115 single-family dwellings, **approved**.

2005-ZON-210; 7510 East Edgewood Avenue (east of site), requested the rezoning of 82 acres from the D-A district to the SU-2 district, **approved**.

2005-ZON-139; 7510 East Edgewood Avenue (east of site), requested the rezoning of 82 acres from the D-A district to the D-3 district, **withdrawn**.

2002-ZON-845; 7420 East Edgewood Avenue (east of site), requested the rezoning of 5.3 acres from the D-A district to the D-P district to provide for a single-family dwelling and two two-family dwellings, **approved**.

2001-ZON-089; 6730 East Edgewood Avenue (west of site), requested the rezoning of 115 acres from the D-A district to the D-P district to provide for 275 single-family dwellings at a density of 2.39 units/acre, **approved**.

2000-ZON-048; 6250 Five Points Road (southeast of site), requested the rezoning of 64 acres from the D-2 district to the D-P district to provide for 167 single-family dwellings, **withdrawn**.

96-Z-121; 7601 East Thompson Road and 5401 Five Points Road (north of site), requested the rezoning of 238 acres from the I-2-S and I-4-S districts to the D-3 district, **approved**.

95-Z-30; 7601 East Thompson Road (north of site), requested the rezoning of 238 acres from the I-2-S and I-4-S districts to the D-3 district, **denied**.

EXHIBITS



5709 Five Points Road and 7340 East Edgewood Avenue

Site Plan – September 8, 2025

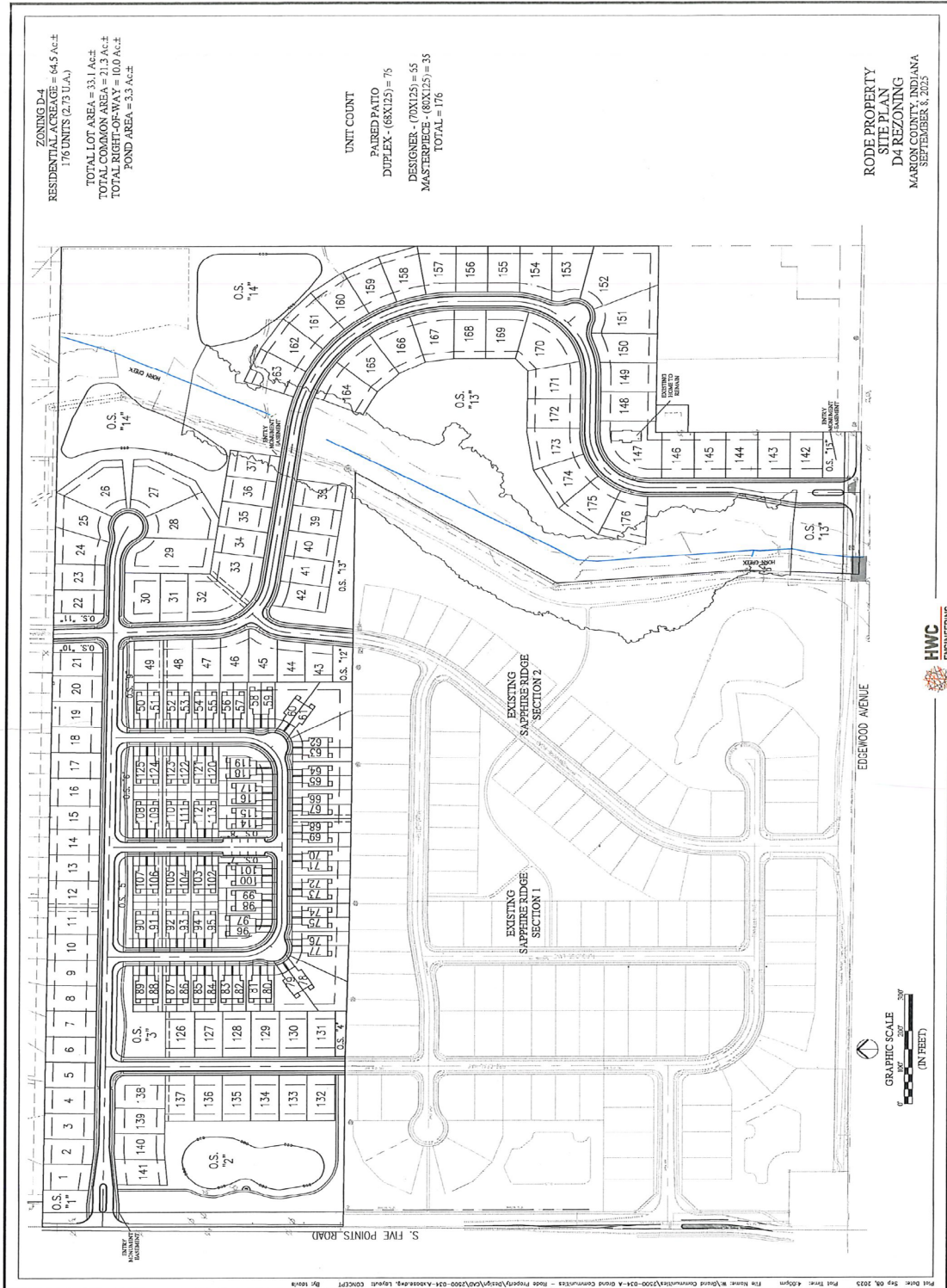


EXHIBIT A

Heritage Tree Conservation

Removal of any Heritage Tree is prohibited unless any of the following determinations are made before removal:

1. The Administrator or the city's Urban Forester determines that the tree is dead, significantly and terminally diseased, a threat to public health or safety, or is of an undesirable or nuisance species.
2. The Director of the Department of Public Works determines that the tree interferes with the provision of public services or is a hazard to traffic.
3. The Administrator determines that the location of the tree is preventing development or redevelopment that cannot be physically designed to protect the tree.
4. The site from which the tree is removed is zoned D-A and the tree is harvested as timber or similar forestry product.

| Table 744-503-3: Replacement Trees | | |
|---------------------------------------|--|---|
| Size of tree removed or dead (inches) | Number of Trees to be planted to replace a Heritage Tree | Number of Trees to be planted to replace an existing tree |
| Over 36 DBH | 15 | 10 |
| 25.5 to 36 DBH | 11 | 8 |
| 13 to 25 DBH | 8 | 6 |
| 10.5 to 12.5 DBH | 6 | 4 |
| 8.5 to 10 DBH | 5 | 4 |
| 6.5 to 8 | 3 | 2 |
| 4 to 6 | 2 | 2 |
| 2.5 to 3.5 | 1 | 1 |

Petition Number _____

**METROPOLITAN DEVELOPMENT COMMISSION
HEARING EXAMINER
METROPOLITAN BOARD OF ZONING APPEALS, Division _____
OF MARION COUNTY, INDIANA**

PETITION FOR VARIANCE OF DEVELOPMENT STANDARDS

FINDINGS OF FACT

1. The grant will not be injurious to the public health, safety, morals, and general welfare of the community because:

The site is an infill site located adjacent to residential neighborhoods to the north and south and an intermediate school to the east. The proposed residential development is compatible with nearby residential uses. The proposed development includes lots of varying sizes and widths, including approximately 56% of the proposed lots being wider and larger than the D4 minimum requirements. The smaller paired patio lots are interior and are not located along Edgewood Ave or Five Points Rd. Ample common areas are provided within the neighborhood and the slight reduction of open space applies only to a portion of the paired patio lots. A creek separates two portions of the neighborhood with different styles of home in each portion. The additional sign will help to notify visitors of the continuation of the neighborhood across the creek and to demarcate the portions of the neighborhood with different home styles. The variances will not be injurious to the general welfare of the community.

2. The use or value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because:

The proposed residential development is compatible with nearby residential and school uses. The smaller lot widths and lot sizes of the paired patio lots do not result in the development having a density that is greater than the typical D4 density. The proposed density of approximately 2.8 units per acre is nearly the typical density for a D3 zoned site (which is approximately 2.6 units per acre). The lots with the slight reduction in open space are located interiorly within the site. The variances will not adversely affect the use or value of the area adjacent to the property. The development of this infill site will result in a significantly higher assessed value for this area. The additional sign will allow for identification of the continuation of the proposed neighborhood across the creek, which will assist visitors and delivery vehicles.

3. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property because:

Buck Creek runs through the eastern portion of the site and certain acreage adjacent to the creek will not be improved with homes. In part, due to the location of Buck Creek and the preservation of such acreage, smaller lot sizes and widths for the paired patio lots will allow for development of the site that is consistent with nearby neighborhoods and with a density that is more similar to the typical D3 density than D4 density. Additionally, the location of a large portion of the site is between two existing neighborhoods, it has one entrance along Five Points and one along Edgewood Ave, and a creek separates portions of the neighborhood, which contains three different types of housing. Allowing a third sign to identify the proposed neighborhood across the creek will lessen confusion and assist visitors to the site. Without the variances, the development of this infill site with three different types of housing will be difficult.

DECISION

IT IS THEREFORE the decision of this body that this VARIANCE petition is APPROVED.

Adopted this _____ day of _____, 20____



View looking west along East Edgewood Avenue



View looking east along East Edgewood Avenue



View looking east at intersection of East Edgewood Avenue and entrance to school



View of site looking west from adjacent property to the east (school)



View of site looking west from adjacent property to the east (school)



View of site looking west from adjacent property to the east (school)



View of site looking north at Sandstone Road stub street



View of site looking east across Sandstone Road



View of site looking east across Sandstone Road



View of site looking northeast across East Edgewood Avenue



View looking north along Horn Creek across East Edgewood Avenue