

MDC HEARING EXAMINER

August 27, 2026

Case Number: 2026-ZON-069
Property Address: 11150 Southeastern Avenue (*approximate address*)
Location: Franklin Township, Council District #25
Petitioner: Anton and Jennifer Howard
Request: Rezoning of 26.7 acres from the SU-1 district to the D-A (FW) (FF) district to provide for residential and agricultural uses
Current Land Use: Unimproved
Staff Recommendations: Staff recommends **approval** of this petition.
Staff Reviewer: Josh Levesque, Senior Planner

PETITION HISTORY

This is the first public hearing for this petition.

STAFF RECOMMENDATION

Staff recommends **approval** of this petition.

PETITION OVERVIEW

- 11150 Southeastern Avenue is a large parcel totaling roughly 26.7 acres. An east-west easement bisects the parcel off of Terry Lane to provide access to 6010 Thomas Road. There is another parcel with the address 11150 Southeastern Avenue that houses the Buck Creek Playhouse. The playhouse parcel is not part of this rezone petition. This lot is currently zoned SU-1. Parcels to the north are zoned D-A. Parcels to the east are zoned D-A and PK-1. Parcels to the west are zoned D-2 and parcels to the south are zoned D-A. Portions of the parcel also sit within the 100-year flood zone and the floodway zone. Two mapped streams (Fishback Creek and a Tributary of Buck Creek) run through the site, north of the easement bisecting the property.
- The petitioner is requesting a rezone from the SU-1 district to the D-A (FW) (FF) district to provide for residential and agricultural uses. Specifically, the petitioner has indicated an intent to build a single-family home and to raise cattle.
- The Comprehensive Plan contemplates two typologies for this parcel. The northeast corner of this parcel has been designated as "Floodway". This roughly follows the portion of the parcel that is within the floodway zone. The Marion County Land Use Plan Pattern Book describes the Floodway category as "delineat[ing] areas that exhibit a great potential for property loss and damage from sever flooding, or for water quality degradation. No development should occur within the floodway. Nonconforming uses currently within a floodway should not be expanded or altered." The majority of the parcel, however, lies within the "Rural or Estate Neighborhood" typology.

According to the Marion County Land Use Plan Pattern Book, this 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.”

- Per the Ordinance, “the D-A district holds the agricultural lands of Marion County and provides 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, building 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.”
- A rezone to D-A would align closely with the Rural or Estate Neighborhood typology. Additionally, flood regulations and stream protection regulations limit the amounts and types of development in their respective zones. Open land uses, often seen in D-A districts, are one of the few uses allowed in the floodway districts.
- Staff will note that this petition is limited to a rezone. No variances or other exceptions are being sought and all development would have to meet Ordinance standards. Additionally, development in the flood zones and stream protection corridors should receive approval from the city’s flood permit team where applicable.
- Given the alignment between D-A and the Rural or Estate Neighborhood typology, the viability of agriculture in flood zones, and the surrounding low residential density, staff recommends **approval** of this petition.

GENERAL INFORMATION

Existing Zoning	SU-1	
Existing Land Use	Unimproved	
Comprehensive Plan	Rural or Estate Neighborhood; Floodway	
Surrounding Context	<u>Zoning</u>	<u>Surrounding Context</u>
	North: D-A	North: Unimproved
	South: SU-1	South: Cultural Use
	East: D-A / PK-1	East: Unimproved / Public Park
	West: D-2	West: Residential
Thoroughfare Plan		
Southeastern Avenue	Local Street	40-foot existing half right-of-way and 60-foot proposed right-of-way
Context Area	Metro	

Floodway / Floodway Fringe	FF (100) ; FW
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

- Marion County Land Use Plan Pattern Book

Pattern Book / Land Use Plan

- The Comprehensive Plan contemplates the Community Commercial typology for this parcel. This 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.”

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)

- Not Applicable to the Site.

ZONING HISTORY

ZONING HISTORY – SITE

84-Z-180; 6150 Thomas Road, Rezoning of 34 acres from A2 to SU-1, **approved, subject to commitments.**

ZONING HISTORY – VICINITY

88-Z-147; 6010 Thomas Road, Rezoning of 1.12 acres from SU-1 to A2, **approved.**

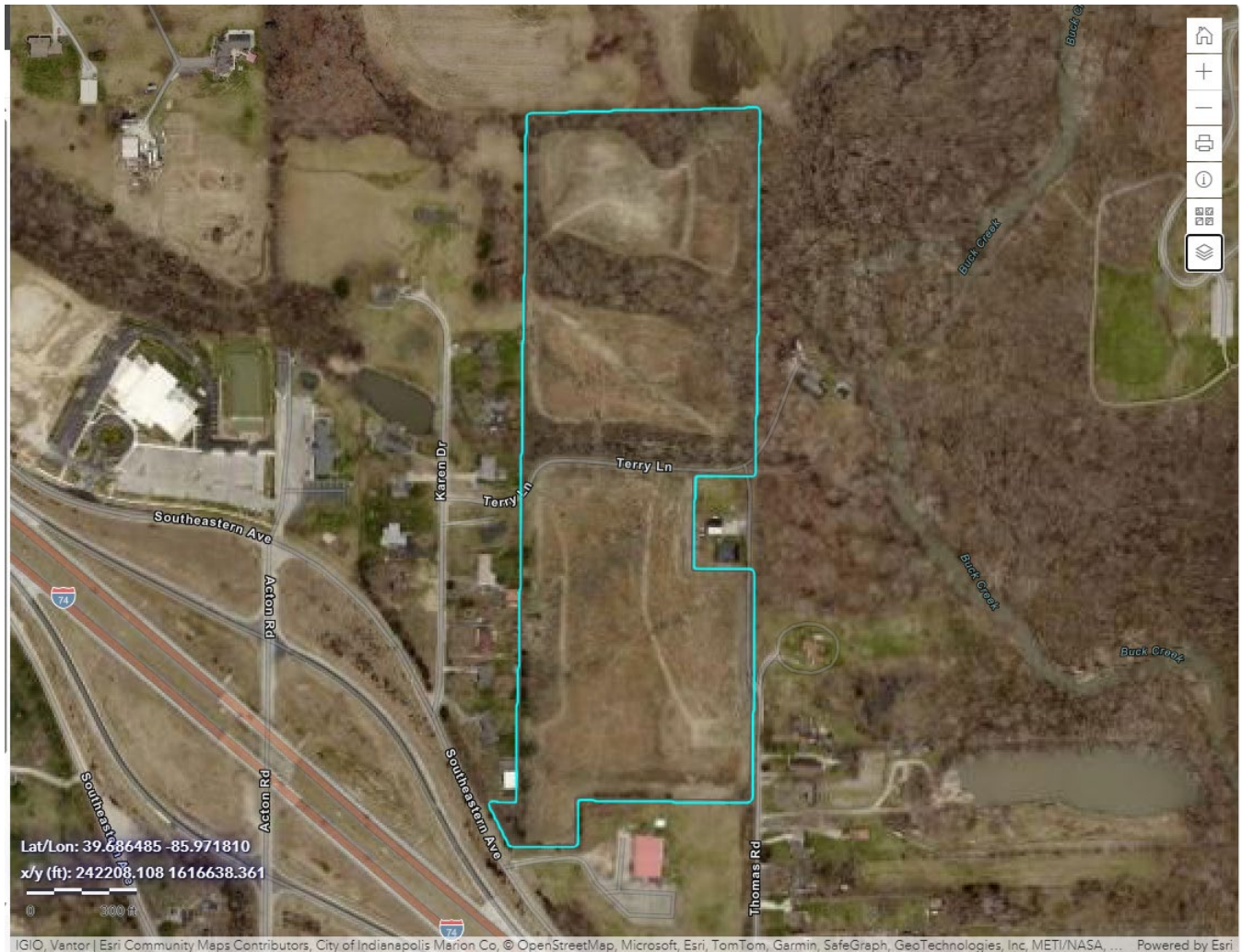
88-CV-39; 6010 Thomas Road, Variance of Development Standards of the Marion County Master Plan Permanent Zoning Ordinance to permit residential development with no street frontage, **approved.**

99-UV2-11; 11150 Southeastern Avenue, Variance of Use of the Special Use Districts Zoning Ordinance to provide use of an existing structure for a community theatre, **approved.**

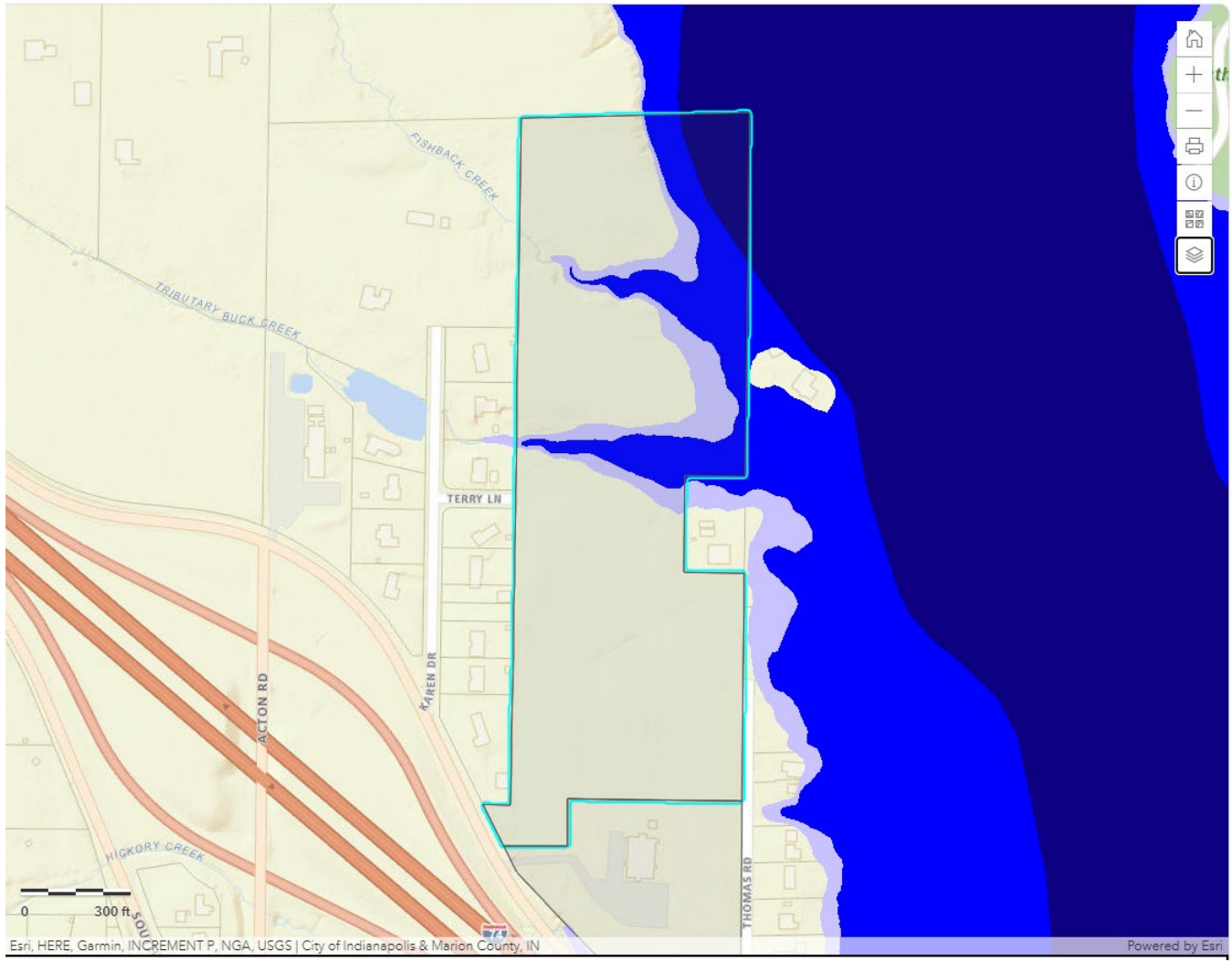
2017-DV2-005; 11150 Southeastern Avenue, Variance of Development Standards of the Consolidated Zoning and Subdivision Ordinance to provide for a six-foot-tall, 40-square-foot freestanding sign within 40 feet of a protected district, **approved, subject to commitments.**

EXHIBITS

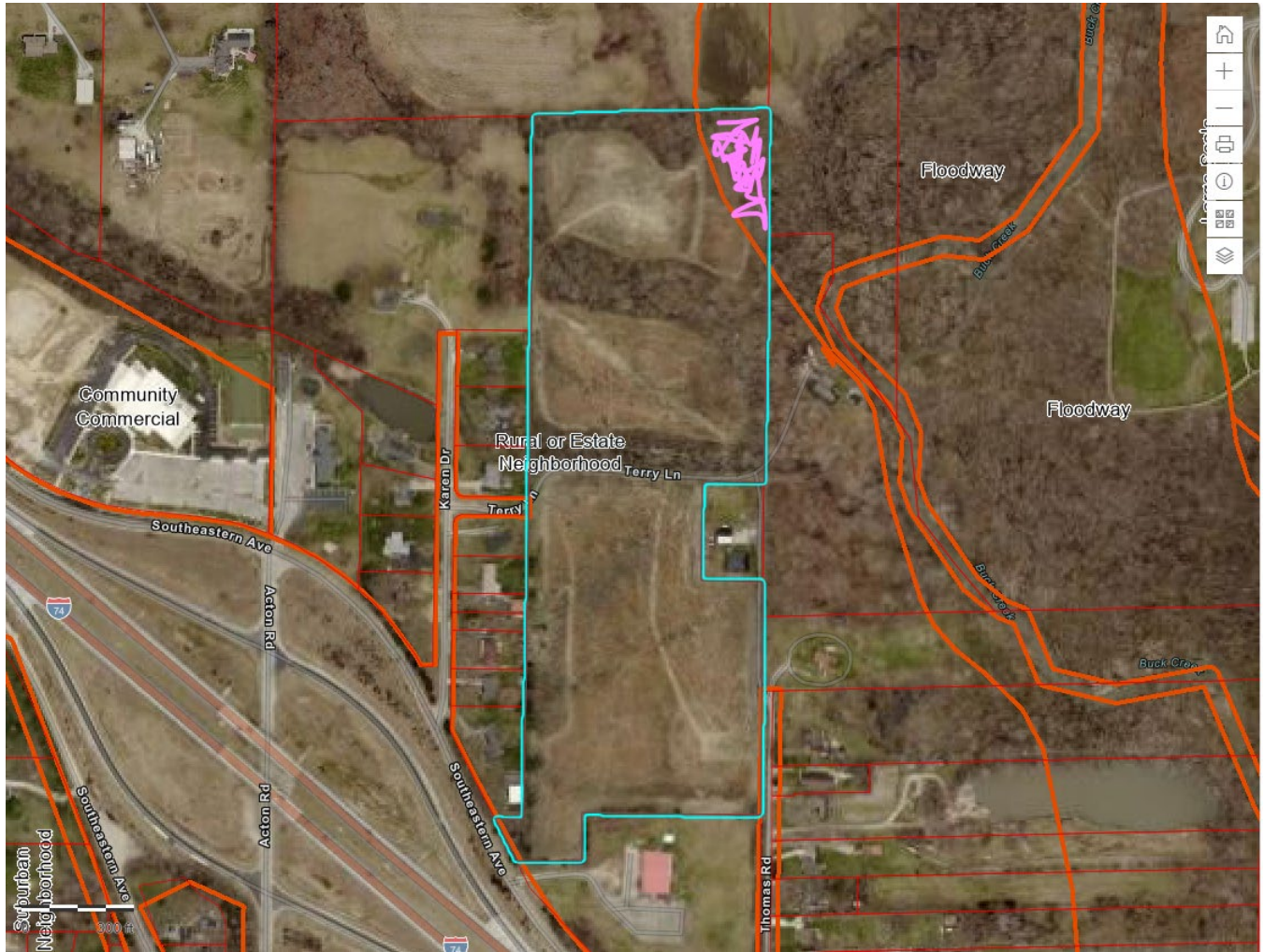
2026ZON069; Aerial Map



2026ZON069; Aerial Map Showing Flood Zones

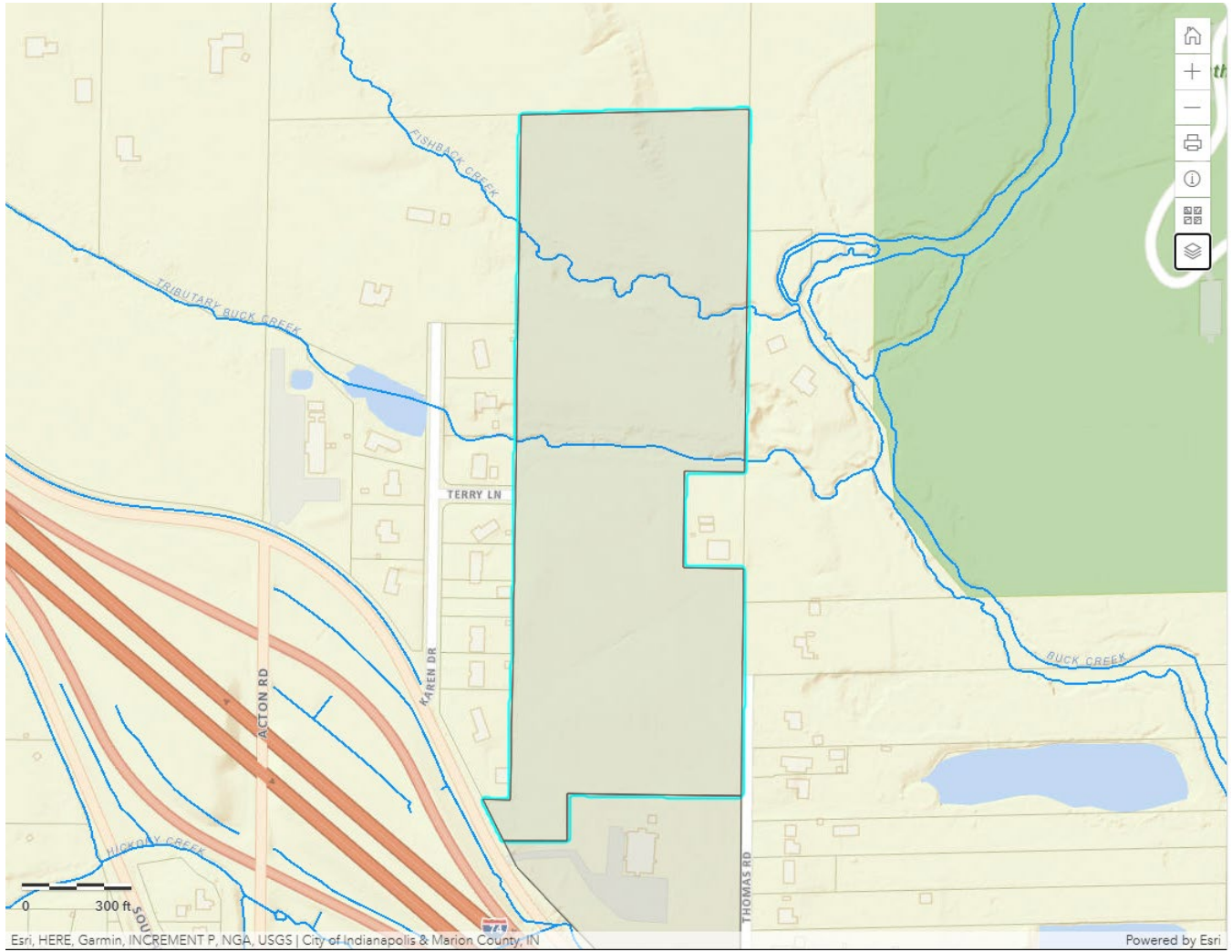


2026ZON069; Aerial Map Floodway Land Use Border

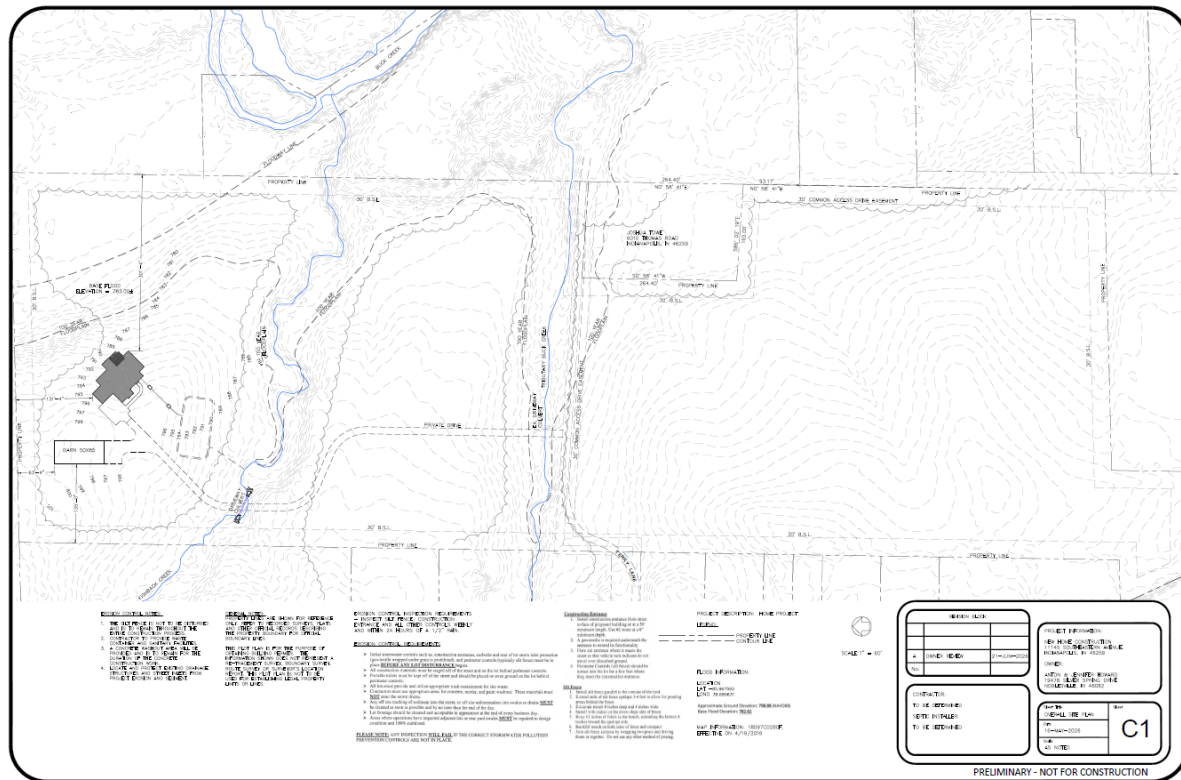


Aerial map highlighting the part of the parcel designated as “Floodway” by the Comprehensive Plan

2026ZON069; Aerial Map Showing Mapped Streams



2026ZON069; Preliminary Site Plan



2026ZON069: Photographs



2026ZON069: Photographs (cont'd)



2026ZON069: Photographs (cont'd)



2026ZON069: Photographs (cont'd)



2026ZON069: Photographs (cont'd)



2026ZON069: Photographs (cont'd)

