

## STAFF REPORT

### Department of Metropolitan Development Division of Planning Current Planning Section

**Case Number:** 2022-ZON-112 (Amended)  
**Address:** 7305 Kentucky Avenue (*Approximate Address*)  
**Location:** Decatur Township, Council District #20  
**Petitioner:** Camby Village, LLC, by Brian J. Tuohy  
**Request:** Rezoning of 58.5 acres from the C-4 district to the C-S district to provide for certain uses permitted in the C-3 and all uses permitted in the D-4 and D-5II districts.

#### **ADDENDUM FOR MARCH 15, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued this petition from the March 1, 2023 hearing, to the March 15, 2023 hearing, at the request of the petitioner's representative.

On February 28, 2023, the petitioner's representative submitted an amended rezoning petition, including an amended C-S Statement, an amended site plan and amended commitments.

The amended petition would reduce the amount of acreage to be rezoned from 123.23 acres to 58.5 acres and eliminate the proposed I-1 uses. I-2 uses and an automobile fueling station (south of Camby Village Boulevard). The remaining acreage (north of Camby Village Boulevard) would be developed residentially with 133 single-family dwellings, 52 paired patio dwellings (duplexes) and approximately two acres at the southwest corner of the site developed commercially with C-3 uses. Approximately 20 acres of open space would be provided.

The amended CS Statement eliminates all references to industrial uses and adds some details related to the residential area. The petitioner has also agreed to eliminate 15 commercial uses.

Staff continues to **recommend approval** of the request, 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. An eight- to ten-foot-wide multi-use path shall be installed along the Kentucky Avenue frontage.
2. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptacles provided for the proper disposal of trash and other waste.

#### **ADDENDUM FOR MARCH 1, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued this petition from the February 15, 2023 hearing, to the March 1, 2023 hearing, at the request of the petitioner's representative.

No new information has been submitted to the file.

(Continued)

## **STAFF REPORT 2022-ZON-112 (Continued)**

### **ADDENDUM FOR FEBRUARY 15, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued this petition from the January 18, 2023 hearing, to the February 23, 2023 hearing, at the request of the petitioner's representative to provide additional time for further discussions with the neighborhood organization and the City-County Councilor.

The petitioner's representative submitted an amended C-S Statement and amended commitments because of negotiations with the interested parties. The petitioner's representative has requested a **continuance from the February 15, 2023 hearing, to the March 1, 2023 hearing**, to provide additional time for continued discussions with the neighborhood organization, City-County Councilor and interested parties, as well as likely amendments to the C-S Statement and commitments.

### **ADDENDUM FOR JANUARY 18, 2023, METROPOLITAN DEVELOPMENT COMMISSION**

The Metropolitan Development Commission continued this petition from the December 7, 2022 hearing, to the January 18, 2023 hearing, at the request of the neighborhood organization and the petitioner's representative.

No new information has been submitted to the file. Staff continues to **recommend approval** subject to the four previously listed commitments.

### **ADDENDUM FOR DECEMBER 7, 2022, METROPOLITAN DEVELOPMENT COMMISSION**

This petition was heard by the Hearing Examiner on November 10, 2022. After a full hearing, the Hearing Examiner recommended approval of the rezoning. Subsequently, the remonstrator filed an appeal of the Hearing Examiner's decision. A memorandum of her recommendation is attached.

#### **November 10, 2022**

The Hearing Examiner continued this petition from the September 29, 2022 hearing, to the November 10, 2022 hearing, at the joint request of the petitioner's representative and the neighborhood organization.

### **RECOMMENDATIONS**

Staff **recommends approval** of the request, 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. Industrial building elevations shall be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP).
2. The berm, as depicted on the site plan, file-dated August 25, 2022, shall be six feet tall and landscaped with a double row of evergreen trees to provide year around screening.
3. An eight- to ten-foot-wide multi-use path shall be installed along the Kentucky Avenue frontage.

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## **STAFF REPORT 2022-ZON-112 (Continued)**

4. The site and improved areas within the site shall be maintained in a reasonably neat and orderly manner during and after development of the site with appropriate areas and containers / receptables provided for the proper disposal of trash and other waste.

### **SUMMARY OF ISSUES**

The following issues were considered in formulating the recommendation:

#### **LAND USE ISSUES**

- ◇ This 123.23-acre site, zoned C-4 and C-S, is comprised of two parcels bisected by Camby Village Boulevard. It is undeveloped and surrounded by undeveloped land to the north, zoned C-4; religious uses and single-family dwellings to the south, zoned SU-1 and D-4, respectively; multi-family and single-family dwellings to the east, zoned D-7 and D-5 respectively; and single-family dwellings, undeveloped land, and single-family dwellings to the west, zoned D-A, SU 46 (airport) D-3, C-7 and C-5.
- ◇ Petition 2019-ZON-036 provided for commercial and industrial uses, which was denied. Petition 96-Z-76 A-D provided for multi-family dwellings (A), community-regional commercial (B), self-storage (C) and single-family dwellings (D).

#### **REZONING**

- ◇ “The C-S District is designed to permit, within a single zoning district, multi-use commercial complexes or land use combinations of commercial and noncommercial uses, or single-use commercial projects. The primary objective of this district is to encourage development which achieves a high degree of excellence in planning, design or function, and can be intermixed, grouped or otherwise uniquely located with maximum cohesiveness and compatibility. The district provides flexibility and procedural economy by permitting the broadest range of land use choices within a single district, while maintaining adequate land use controls. The C-S District can include high-rise or low-rise developments, can be applied to large or small land areas appropriately located throughout the metropolitan area, and can be useful in areas of urban renewal or redevelopment.”
- ◇ The Comprehensive Plan recommends suburban neighborhood. “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.”

(Continued)

## **STAFF REPORT 2022-ZON-112 (Continued)**

- ◇ The Comprehensive Plan consists of two components that include the Pattern Book 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*

- 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*

- 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 5 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*

- 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.

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## **STAFF REPORT 2022-ZON-112 (Continued)**

### *Attached Housing*

- 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, greenways, parks or public squares, or neighborhood-serving retail.
- ◇ “The I-1 district is designed for those industries that present the least risk to the public. In the I-1 district, uses carry on their entire operation within a completely enclosed building in such a manner that no nuisance factor is created or emitted outside the enclosed building. No storage of raw materials, manufactured products, or any other materials is permitted in the open space around the buildings. Loading and unloading berths are completely enclosed or shielded by solid screening. This district has strict controls on the intensity of land use providing protection of each industry from the encroachment of other industries. It is usually located adjacent to protected districts and may serve as a buffer between heavier industrial districts and business or protected districts.”
- ◇ “The I-2 district is for those industries that present minimal risk and typically do not create objectionable characteristics (such as dirt, noise, glare, heat, odor, etc.) that extend beyond the lot lines. Outdoor operations and storage are completely screened if adjacent to protected districts and are limited throughout the district to a percentage of the total operation. Wherever possible, this district is located between a protected district and a heavier industrial area to serve as a buffer. For application to the older industrial districts within the central city, standards specifically accommodate the use of shallow industrial lots.”
- ◇ “The C-3 District is for the development of an extensive range of retail sales and personal, professional and business service required to meet the demands of a fully developed residential neighborhood, regardless of its size. Examples of such types of uses include neighborhood shopping centers, sales of retail convenience or durable goods, shopping establishments, retail and personal and professional service establishments. At this neighborhood scale of retail, a fine grain of accessibility requisite for all modes of travel must be provided and maintained. It does not make provision, however, for those businesses that draw customers in significant numbers from well beyond a neighborhood boundary and are, therefore, unusually heavy traffic generators, such as theaters. It does not allow those businesses that require the outdoor display, sale or storage of merchandise; or require outdoor operations. In general, to achieve maximum flexibility of permitted land use, the C-3 District makes possible a highly varied grouping of indoor retail and business functions.”

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## **STAFF REPORT 2022-ZON-112 (Continued)**

- ◇ “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 D-5II district is intended for small-lot housing formats, but also including a mix of small-scale multi-unit building types. This district can be used for new, walkable suburban neighborhoods or for infill situations in established urban areas, including both low density and medium density residential recommendations of the comprehensive Plan, and the suburban Neighborhood or Traditional Neighborhood typologies of the Land Use Pattern Book.”

### **Environmental Public Nuisances**

- ◇ The purpose of the Revised Code of the Consolidated City and County, Sec.575 (Environmental Public Nuisances) is to protect public safety, health and welfare and enhance the environment for the people of the city by making it unlawful for property owners and occupants to allow an environmental public nuisance to exist.
- ◇ All owners, occupants, or other persons in control of any private property within the city shall be required to keep the private property free from environmental nuisances.
- ◇ Environmental public nuisance means:
  1. Vegetation on private or governmental property that is abandoned, neglected, disregarded or not cut, mown, or otherwise removed and that has attained a height of twelve (12) inches or more;
  2. Vegetation, trees or woody growth on private property that, due to its proximity to any governmental property, right-of-way or easement, interferes with the public safety or lawful use of the governmental property, right-of-way or easement or that has been allowed to become a health or safety hazard;
  3. A drainage or stormwater management facility as defined in [Chapter 561](#) of this Code on private or governmental property, which facility has not been maintained as required by that chapter; or
  4. Property that has accumulated litter or waste products, unless specifically authorized under existing laws and regulations, or that has otherwise been allowed to become a health or safety hazard.

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## **STAFF REPORT 2022-ZON-112 (Continued)**

- ◇ Staff would request a commitment that emphasizes the importance of maintaining the site in a neat and orderly manner at all times and provide containers and receptacles for proper disposal of trash and other waste.

### **C-S Statement (See Exhibit A)**

- ◇ The C-S Statement, filed-dated August 25, 2022, states that approximately 62 acres (southern parcel) would be developed with I-1 and I-2 industrial uses and the remaining 61 acres (northern parcel) would be developed with single-family and two-family dwellings. Camby Village Boulevard would provide a clear boundary between the two uses.

### ***Industrial Development***

- Building height in the industrial developed area would be a maximum of 45 feet, with exceptions related to the parapet walls and roof structures in accordance with the Ordinance.
- As proposed, either three buildings or four buildings would be developed with building sizes ranging from approximately 163,920 square feet to 235,200 square feet, depending upon the number of buildings.
- Sidewalks would be provided throughout the development with connections to public rights-of-way.
- Outdoor amenity areas would be constructed and available for employees, including picnic areas and fitness stations at each building.
- The number of loading docks would be determined by the petitioner and would be oriented to the interior of the site with screening provided by extending the building façade an additional column bay at the building corners.
- Parking for semis, delivery trucks, delivery vans and employee would be provided on site.
- Building exteriors would be in general conformance with the front façade design feature depicted in the C-S Statement.
- Landscaping would comply with the Ordinance requirements with four-foot-tall mounding along a portion of Camby Village Boulevard, the southern boundary and the eastern boundary. Such mounding would be planted with evergreen trees.
- Transitional yard would be a minimum of 100 feet along Camby Village Boulevard and 75 feet along Kentucky Avenue.
- Site access would be from Kentucky Avenue only, with an emergency access along Camby Village Boulevard.

(Continued)

## **STAFF REPORT 2022-ZON-112 (Continued)**

### *Commercial Area*

- Commercial uses would be permitted on approximately 1.15 acres at the northwest corner of the southern parcel and would include C-3 uses and an automobile fueling station.

### *Residential Uses*

- A total of 133 single-family dwelling units and 52 two-family dwellings are proposed.
- Development standards and architectural standards are identified for each of the types of dwellings.
- General development standards that include street, sidewalks, streetlights, signage, stormwater and phasing of development are described, along with the open space and amenities features and the homeowners' association / covenants.

### **Site Plan (See Exhibit B)**

- ◇ The site plans, file-dated August 25, 2022, depict two options related to the layout of the industrial area that includes a three industrial building layout and a four industrial building layout. Staff understands the options provide the flexibility to respond to the future needs of potential users.
- ◇ Truck and employee access associated with the industrial development would be located at the southern end of the site along Kentucky Avenue. Access along Camby Village Boulevard would be limited to emergency access only to the industrial development.
- ◇ Truck and employee parking associated with the industrial development would be located interior to the site, with employee parking located on the perimeter on the buildings primarily along Kentucky Avenue and the eastern boundary abutting the existing multi-family development.
- ◇ Retention / detention ponds would be located throughout the development as determined by drainage requirements.
- ◇ A four-foot-tall landscape berm is depicted along the southern, eastern and a portion of the northern boundary of the industrial development, which abuts and would be adjacent to residential uses.
- ◇ The northern parcel would be developed with single-family and two-family dwellings. Access to the residential development would be along Camby Village Boulevard with a second access connecting to Firecrest Lane and a stub street to the north for a possible future connection.

### **Planning Analysis**

- ◇ As proposed, only the northern residential portion of the site complies with the Comprehensive Plan recommendation of suburban neighborhood typology. The southern portion of the site proposed for industrial development does not comply because industrial development is not a recommended land use in this typology.

(Continued)

## **STAFF REPORT 2022-ZON-112 (Continued)**

- ◇ However, the southern parcel is split-zoned with a C-S district and C-4 district. Of the approximately 62.5 acres, approximately 38 acres, zoned as C-S, permits industrial development. Consequently, approximately 24.5 acres, currently zoned as C-4, would also be zoned for industrial development. Staff believes this expansion of I-1 and I-2 industrial uses would be reasonable and acceptable.
- ◇ Staff, therefore, supports the proposed rezoning request, subject to enhanced buffering that would consist of a six-foot tall berm along those portions of the site where a four-foot-tall berm is proposed. Staff also believes that a double row of year around (evergreen) landscaping would be appropriate and provide some mitigation between the two land uses.
- ◇ Staff believes limiting access to the industrial portion of the site to the southernmost point further minimizes the impact of this use on surrounding land uses.
- ◇ Staff understands that no outdoor storage would be permitted, which also minimizes the impact of industrial uses in this area.
- ◇ Staff is also concerned with exterior materials and architectural style of the proposed industrial structures because of their mass, the proximity to residential uses and the visibility along Kentucky Avenue. Staff believes that a variety of materials, including but not limited to brick, stone, pre-cast concrete panels, tile, decorative block, wood lap siding, ceramic and glass should be incorporated into the design of the buildings. Consequently, staff would request that elevations be submitted for Administrator Approval prior to the issuance of an Improvement Location Permit (ILP) to assure
- ◇ Staff also believes that connectivity in the area is critical and should be supported by internal sidewalks that connect to rights-of-way throughout the entire site, along with the installation of an eight- to ten-foot-wide multi-use path along the Kentucky Avenue frontage.

### **GENERAL INFORMATION**

#### **EXISTING ZONING AND LAND USE**

C-S / C-4

Commercial use

#### **SURROUNDING ZONING AND LAND USE**

North - C-4

Undeveloped land

South - SU-1 / D-4

Undeveloped land / single-family dwellings

East - D-7 / D-5

Multi-family dwellings / single-family dwellings

West - D-A / SU-46 / D-3 / C-7  
/ C-5

Undeveloped land / single-family dwellings

#### **COMPREHENSIVE LAND USE PLAN**

The Comprehensive Land Use Plan for Indianapolis and Marion County (2018) recommends suburban neighborhood.

(Continued)

## **STAFF REPORT 2022-ZON-112 (Continued)**

THOROUGHFARE PLAN	<p>This portion of Kentucky Road is designated in the Marion County Thoroughfare Plan as a primary arterial, with an existing and proposed 215-foot right-of-way.</p> <p>This portion of Camby Village Boulevard is designated in the Marion County Thoroughfare Plan as a local street, with an existing and proposed 70-foot right-of-way.</p>
CONTEXT AREA	<p>This site is located within the metro context area.</p>
OVERLAY	<p>There are no overlays for this site.</p>
SITE PLAN	<p>File-dated August 25, 2022</p>
SITE PLAN (AMENDED)	<p>File-dated February 28, 2023</p>
C-S STATEMENT	<p>File-dated August 25, 2022</p>
C-S STATEMENT (AMENDED)	<p>File-dated November 4, 2022</p>
C-S STATEMENT (AMENDED)	<p>File-dated February 2</p>

### **ZONING HISTORY**

**2019-ZON-036; 8900 Mooresville Road (includes site)**, requested rezoning of 121.1 acres from the C-4 and C-S Districts to the C-S classification to provide for all Manufacturing, Research and Development, Utilities, Wholesale Distribution uses permitted by the I-1 District; all Group Living, Community, cultural and Educational Facilities, and Office Uses permitted in the C-1 district; Vocational, Technical or Industrial Training School or Training Facility; Hospital; Animal Care, Boarding and Veterinary Services; Farmer's Market; Artisan Food and Beverage; Business, Home and Personal Services or Repair; Bar or Tavern; Eating Establishment or Food Preparation; Indoor Recreation and Entertainment; Indoor Spectator Venue; Hotel or Motel; Department Store; Grocery Store; Liquor Store; Light and Heavy General Retail; Automobile and Light Vehicle Wash; Automobile Fueling Station; Automobile, Motorcycle, and Light Vehicle Service or Repair; Commercial Parking Lot; Transit Center; and Recycling Station and the following accessory uses: wireless communications facility; game courts; outdoor storage; temporary outdoor display and sales; outdoor seating and patio; recycling collection point; renewable energy facility, solar, geothermal or wind; satellite dish antenna; signs; temporary construction yard, office or equipment storage; temporary outdoor event; and outside vending machines/self-serve kiosk, **denied**.

**96-Z-76 A; 7401 Kentucky Avenue (includes site)**, requested rezoning of 10.99 acres, being in the D-3 and C-4 Districts, to the D-7 classification to provide for multi-family development, **approved**.

**96-Z-76 B; 7401 Kentucky Avenue (includes site)**, requested rezoning of 82.04 acres, being the D-3 and D-7 Districts, to the C-4 classification to provide a community-regional commercial development, **approved**.

(Continued)

**STAFF REPORT 2022-ZON-112 (Continued)**

**96-Z-76 C; 8201 Camby Road (includes site)**, requested rezoning of 52.62 acres, being in the D-3 and D-7 Districts, to the C-S classification to provide for the construction of a self-storage facility, with ancillary uses, including an office and resident manager; office, commercial, multi-family, industrial research and park uses, **approved**.

**96-Z-76 D; 8302 Trotter Road (includes site)**, requested rezoning of 120 acres, being in the D-A District, to the D-3 classification to provide for the construction of single-family residential development at 2.6 units per acre, **approved**.

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# MEMORANDUM OF EXAMINER'S DECISION

**2022-ZON-112**

**7305 and 7725 Kentucky Avenue**

The petition requests the rezoning of 123.23 acres from the C-4 and C-S districts to the C-S district to provide for a development with all uses permitted in the I-1, I-2, C-3, D-4, and D-5II districts and an automobile fueling station.

Your Hearing Examiner visited the site prior to the hearing and noted that, while the land east and south of it has been developed with a mixture of single family and multi family residences, the subject site remains undeveloped. Acreage across Kentucky Avenue is largely undeveloped, also.

The petitioner's representative described a proposal to develop the acreage north of Camby Village Boulevard residentially and the acreage south of Camby Village Boulevard industrially, with three commercial outlets on Kentucky Avenue. He outlined measures that were taken to minimize the impact of the light industrial uses on residential uses, including no industrial access to Camby Village Boulevard, no truck parking next to residences, no cross dock industrial buildings, and enhanced screening, mounding, and landscaping.

Three remonstrators appeared at the hearing, representing the Decatur Township Civic Council, the Decatur Township Trustee, and the City-County Council. Reasons for opposition included non-conformance with the Comp Plan recommendation of suburban neighborhood, broad range of uses, height, vacant warehouse space in the area, lack of traffic study, and the need for move up homes.

Staff explained the Comp Plan recommendation is being met for the portion of the site north of Camby Village Boulevard, and the balance of the site is currently zoned industrially or commercially. Staff cited the proposed connectivity, the limited truck access, and the commitment for Administrator's approval of industrial building elevations in its recommendation of approval.

In your Hearing Examiner's opinion, the request meets the intentions of the C-S district. The proposed site plan, coupled with the commitments, contemplate a development that is superior to that allowed by the existing zoning. Approval of this petition was recommended.

For Metropolitan Development Commission Hearing on December 7, 2022





7305 and 7725 Kentucky Avenue

0 0.045 0.09 0.18 0.27 0.36 Miles

### **Third Amended C-S Statement**

Petitioner respectfully requests that the approximately 58.5 acre +/- site (the "Site") located at the northeast corner of Kentucky Avenue and Camby Village Boulevard (the "Intersection") be rezoned to the C-S district to provide for residential and commercial uses on the Site.

The development proposed by Petitioner includes a Commercial Area and a Residential Area. Attached as Exhibit A is a proposed preliminary Conceptual Site Plan, which approximately depicts the proposed development ("Conceptual Site Plan").

#### **A. Commercial Area.**

1. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the C-3 zoning district set forth in the Zoning Ordinance shall be permitted on approximately 2 acres at the northeast corner of the Intersection (the "Commercial Area"); provided that the following uses shall not be permitted within the Commercial Area:
  - a. Plasma center
  - b. Substance abuse treatment facility
  - c. Check cashing service
  - d. Tattoo parlor
  - e. Adult entertainment (live and retail)
  - f. Bar; provided that a restaurant that serves alcohol or has a bar area shall be permitted
  - g. Night club
  - h. Extended stay hotel
  - i. Firearm sales
  - j. Fireworks sales (including temporary)
  - k. Liquor store
  - l. Pawn shop
  - m. Gas station
  - n. Vape shop
  - o. Tobacco shop (stand-alone kind)
2. **Site Development:** Development within the Commercial Area shall comply with the development standards for C-3 Zoning District as set forth in the Zoning Ordinance. The Commercial Area shall include a 10' wide multi-purpose asphalt path along Kentucky Avenue as approximately depicted on the Conceptual Site Plan. The multi-purpose asphalt path shall be installed by the Developer of the Commercial Area within six (6) months of the recording of the Final Plat for the Commercial Area.

**B. Residential Area:** A residential neighborhood shall be developed on approximately 56.5 acres near the northeast corner of the Intersection (the "Residential Area"), which shall include approximately 20 acres of open space and two types of residential sections as follows:



1. **Single-Family Detached Section:** The easternmost portion of the Residential Area shall include single-family detached residences, as approximately depicted as Lots 1-133 on the attached Conceptual Site Plan (the “Single-Family Detached Section”).

- a. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-4 zoning district set forth in the Zoning Ordinance shall be permitted within the Single-Family Detached Section.
- b. **Development Standards:** The following development standards shall apply to the Single-Family Detached Section:

Maximum Dwelling Units	133
Minimum Lot Area	6,000 sf
Minimum Lot Width	50'
Minimum Lot Frontage	25'
Minimum Open Space	50%
Maximum Height	35' for a primary structure 24' for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sq. ft. for one-story 600 sq. ft for two-story
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Distance Between Homes	10'

- c. **Architectural Standards:** The following development standards shall apply to the Single-Family Detached Section:
- i. Permitted exterior materials shall include but are not limited to brick, stone, wood, cement fiber board, stucco, shake, board and batten, and E.I.F.S. Vinyl siding and aluminum siding are prohibited.
- ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
- iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters or decorative trim or headers.
- iv. All homes shall have a minimum Roof Pitch of five to twelve (5:12) for the primary Roof Pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof structures) shall not be considered primary roof for the purposes of the five to twelve (5:12) Roof Pitch requirement.

- v. All homes shall have a minimum of a twelve (12") inch overhang on homes where the sides consist of siding at the eaves, and a minimum of an eight (8") inch gable overhang on homes where the sides consist of brick at the eaves. This measurement does not include the gutter system.
- vi. All homes shall have dimensional or architectural grade roof shingles.
- vii. All homes shall have a minimum two car garage with a minimum size of 380 sq. ft. Third car garages shall have a separate door and shall be recessed a minimum of two (2') feet from the other bays.
- viii. All homes shall have a minimum of two dusk to dawn carriage lights on the front of each garage.
- ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
- x. All homes shall include at least one (1) front yard tree, with corner lots to include an additional two (2) trees in the street side yard, with all being a minimum two-inch (2") caliper at time of planting. In addition, all homes will include a minimum of twelve (12) shrubs or bushes in the front foundation planting bed and all shrubs or bushes will be at least eighteen inches (18") in height at the time of planting.
- xi. Homes shall have individual mailboxes to be installed by the developer for each house and shall be uniform in design. Mailboxes will be installed in accordance with the direction of the local United States Postal Service.
- xii. All homes shall have a street number permanently affixed to the front of the home.
- xiii. All homes shall have hard surfaced driveways with concrete.
- xiv. The same home elevation will not be constructed on an adjacent lot or directly across the street.

2. **Paired-Patio Section:** The western portion of the Residential Area shall include paired patio homes, as approximately depicted as Lots 134-159 (each numbered Lot shall contain one building with two attached units) on the attached Conceptual Site Plan (the "Paired Patio Section").

- a. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-5II zoning district set forth in the Zoning Ordinance shall be permitted within the Paired Patio Section.
- b. **Development Standards:** The following development standards shall apply to the Paired Patio Section:

Maximum Dwelling Units	52
Minimum Lot Area, Two Family	11,000 sf
Minimum Lot Width, Two Family	90'
Minimum Lot Frontage, Two Family	60'
Minimum Open Space	40%

Maximum Height	35' for a primary structure 24' for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sf for one-story 800 sf for two-story
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Distance Between Buildings	10'

- c. **Architectural Standards:** The following development standards shall apply to the Paired Patio Section:
- i. Permitted exterior materials shall be brick, stone, wood, fiber cement, stucco, shake, board and batten, and EFIS. Vinyl siding and aluminum siding are prohibited.
  - ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
  - iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters and decorative trim or headers.
  - iv. The roof pitch over the primary body of the homes shall be a minimum of 5/12 and each home shall have a minimum of 12-inch overhang on all sides. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, each with separate roof structures) shall not be considered as primary body and may have less than 5/12 pitch.
  - v. All homes shall have dimensional or architectural grade roof shingles.
  - vi. Each home (dwelling) shall have an attached 2-car garage with a minimum size of 380 square feet.
  - vii. The total width of front facing garage doors of the buildings (2 dwellings) shall not exceed 50% of the front façade width.
  - viii. All homes shall have a minimum of two dusk to dawn lights on the front of each garage.
  - ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
  - x. Each home (dwelling unit) shall have a minimum of one (1) shade or ornamental tree and eight (8) shrubs.
  - xi. All homes shall have uniform mailboxes.
  - xii. All homes shall have a street number permanently affixed to the front of the home.
  - xiii. All homes shall have hard surfaced driveways of concrete.
  - xiv. No home with the same front yard facing elevation shall be built next door to a home with the same front yard facing elevation.

3. **General Development Standards:** The following general development standards shall apply to the Residential Area:
- a. **Streets.** The streets within the Residential Area shall be built in accordance to Indianapolis Department of Public Works (“DPW”) current standard of 28’ wide back to back of curb and 24’ wide pavement. On street parking shall be permitted on both sides of the streets within the Development.
  - b. **Sidewalks/Multi-Purpose Asphalt Path.** Sidewalks shall be installed by Developer of the Residential Area on the Residential Area side along the frontage of Camby Village Boulevard. Sidewalks shall be installed on both sides of the new streets in the Residential Area. In lieu of a sidewalk along Kentucky Avenue, Developer of the Residential Area shall install a 10’ wide multi-purpose asphalt path along Kentucky Avenue as approximately depicted on the Conceptual Site Plan. Such multi-purpose asphalt path may be installed in sections and such installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Residential Area which contains the real estate upon which that particular section of the path shall be located.
  - c. **Street Lights.** The Residential Area shall have uniformed street lights at each intersection and no more than 500’ apart between intersections. Street lights shall conform with the standards of the Zoning Ordinance and shall be maintained by the Homeowners’ Association (“HOA”) to be formed by the Developer of the Residential Area.
  - d. **Signage.** Signage within the Residential Area, including neighborhood entrance identification signage, directional or informational signage, and any amenity area signage shall be subject to the approval of the Administrator of the Department of Metropolitan Development.
  - e. **Stormwater.** The Developer of the Residential Area, subject to DPW’s approval, shall install stormwater detention ponds as approximately depicted on the attached Conceptual Site Plan. All detention ponds shall be maintained by the HOA.
  - f. **Phasing of Development.** The Residential Area shall be constructed in multiple phases.
4. **Open Space and Amenities.** The Residential Area shall have a minimum amount of permanent open space of 20 acres or approximately 35% of the total land area. Amenities within the Residential Area shall include but are not limited to the following:
- Playground area
  - Multipurpose trails
  - Landscaped entry area
  - Landscaping in common areas
  - Tree preservation (along property lines)

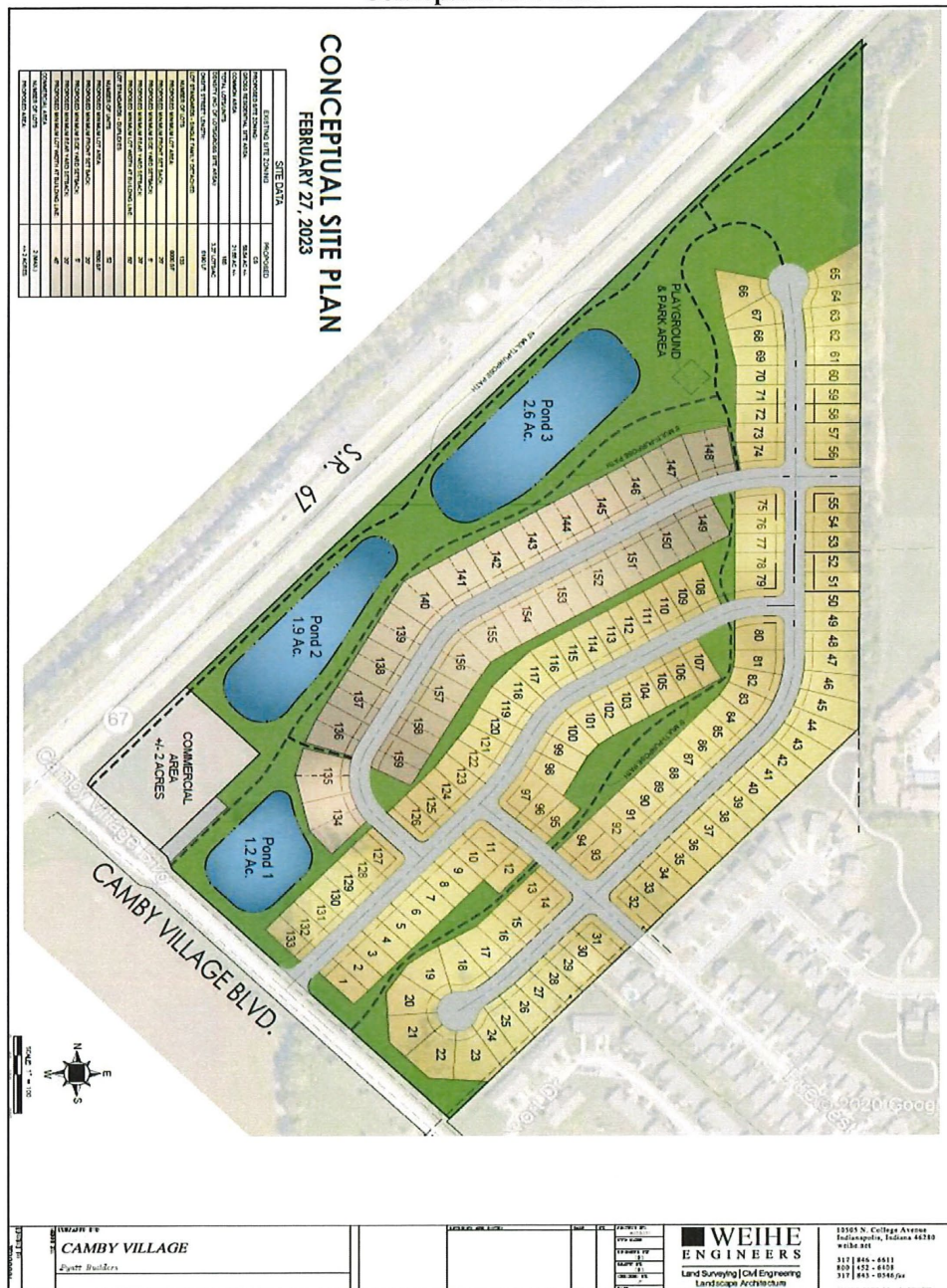
The above amenities shall be installed by the Developer of the Residential Area prior to the completion of the Residential Area and turnover to the HOA.

In addition to the Multi-Purpose Asphalt Path along Kentucky Avenue described in Section B.3.b above, Developer of the Residential Area shall install five-foot (5') wide multi-purpose asphalt paths within the Residential Area, as approximately shown on the Conceptual Site Plan, which will be maintained by the HOA. The 5' wide multi-purpose asphalt paths may be installed in sections and such installation for each section shall occur within six (6) months of the recording of the Final Plat for each portion of the Residential Area which contains the real estate upon which that particular section of the path shall be located.

5. **Homeowners' Association / Covenants.** The following shall apply to the Residential Area and shall be incorporated into the Declaration of Covenants, Conditions and Restrictions ("Covenants") for the Residential Area that shall be recorded prior to or simultaneously with the final plat for the Residential Area. The Homeowners' Association ("HOA") shall be established by the Developer of the Residential Area pursuant to the terms of the Covenants and the HOA shall govern the Residential Area by the Covenants.
  - a. The Covenants shall apply to all the real estate within the Residential Area.
  - b. The maintenance and upkeep of the Open Space within the Residential Area including the detention ponds, common areas and amenities shall be the responsibility of the HOA.
  - c. Within the Paired Patio Section, the HOA shall be responsible for lawn mowing and treatment, snow removal and routine cleaning and maintenance of the following exterior elements of the homes in the Paired Patio Section: siding, shutters, trim and roof, provided that the HOA shall not be responsible for replacement of such exterior elements.
  - d. Upon the sale of 80% of the homes within the Residential Area the Developer of the Residential Area shall work with the homeowners within the Development to establish a Homeowner Board of Directors to be responsible for management of the HOA.
  - e. Mini-barns or outside storage sheds shall be prohibited within the Residential Area.
  - f. Above ground swimming pools shall be prohibited within the Residential Area, excluding small inflatable pools that are no larger than 25 square feet which shall be stored out of sight when not in use.
  - g. Basketball goals shall be prohibited within the Residential Area.
  - h. No campers, motor homes, buses, truck trailers, boats or other recreational vehicle shall be stored on any common area, public street, or Lot in public view, nor shall unlicensed or disabled vehicles be stored outdoors within the Residential Area.

## Exhibit A

### Conceptual Site Plan





## EXHIBIT A

### C-S Statement

Petitioner respectfully requests that the approximately 120 acre +/- site (the "Site") located at the northeast and southeast corners of Kentucky Avenue and Camby Village Boulevard (the "Intersection") be rezoned to the C-S district to provide for residential, commercial and industrial uses on the Site.

The development proposed by Petitioner includes an Industrial Area, which may be improved with three (3) or four (4) buildings, a Commercial Area and a Residential Area. Attached as Exhibit A are two proposed preliminary Conceptual Site Plans, which approximately depict the proposed development. Conceptual Site Plan A depicts the Industrial Area improved with three (3) buildings and Conceptual Site Plan B depicts the Industrial Area improved with four (4) buildings. Hereinafter, the term "Conceptual Site Plan" shall refer to either Conceptual Site Plan A or Conceptual Site Plan B.

#### A. Industrial Area.

1. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the I-1 and I-2 zoning district set forth in the Zoning Ordinance for Marion County, Indiana in effect at the time this Development is approved by the City-County Council (the "Zoning Ordinance") shall be permitted on approximately 62 acres near the southeast corner of the Intersection, as approximately depicted on the attached Conceptual Site Plan (the "Industrial Area").
2. **Site Development:**
  - a. Site Plan Generally: Maximum Building Heights. The Industrial Area shall be developed as approximately depicted on the Conceptual Site Plan. The maximum buildings sizes and general locations of the buildings within the Industrial Area as approximately depicted on the Conceptual Site Plan shall coincide with those set forth therein. The Administrator shall have the authority to approve any minor or non-substantial deviations therefrom. Notwithstanding the foregoing, Petitioner shall have the unilateral right to reduce the size of any buildings set forth on the Conceptual Site Plan (as defined in Paragraph A.2.b. below).

Additionally, the maximum height of the buildings within the Industrial Area as set forth on the Conceptual Site Plan shall be as follows:

Forty-Five feet (45'); provided that per table 744-204-1 of the Zoning Ordinance, parapet walls may extend up to four feet (4') above the maximum 45' building height and roof structures for the housing of elevators, stairways, air conditioning apparatus, cooling towers, ventilating fans, skylights or similar equipment to operate and maintain the structure may extend up to twenty-five (25') above the roof line of the building.

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b. Size of Buildings.

- i. If the Industrial Area is improved with three (3) buildings, the maximum main floor square footage of Buildings 1, 2 and 3 as approximately shown on the Conceptual Site Plan shall be as follows: building 1 and building 2 shall be a maximum of approximately 235,200 square feet each and building 3 shall be a maximum of approximately 346,663 square feet.
- ii. If the Industrial Area is improved with four (4) buildings, the maximum main floor square footage of Buildings 1, 2, 3 and 4 as approximately shown on the Conceptual Site Plan shall be as follows: building 1 and building 2 shall be a maximum of approximately 235,200 square feet each and building 3 and building 4 shall be a maximum of approximately 163,920 square feet each.

c. Sidewalks. Sidewalks required by the Zoning Ordinance will be installed as set forth therein.

d. Outdoor Amenities. Commensurate with the occupancy of each building constructed within the Industrial Area, outdoor amenities (i.e. picnic areas and fitness stations at each building) for the employees of businesses located within the Industrial Area shall be constructed. The location of such amenities shall be determined by the Petitioner.

e. Loading Docks. The maximum aggregate number of loading docks within the Industrial Area shall be equal to the ratio of 1 per 5000 square feet of the total main floor area of all buildings proposed within the Industrial Area. The number of the docks among the various buildings in the Industrial Area is at the sole discretion of the Petitioner. Additionally, all loading docks shall be situated on only one side of any building and shall face toward the interior of the Industrial Area as approximately shown on the Conceptual Site Plan. Building design within the Industrial Area shall also include screening of the loading dock areas by extending the building facade an additional column bay as approximately depicted on the Conceptual Site Plan.

f. Truck Parking. There shall be a maximum aggregate number of truck parking spaces within the Industrial Area equal to the ratio of 1 per 3,500 square feet of the total main floor area of all buildings proposed within the Industrial Area. These parking spaces shall be for the combined use of semis, delivery trucks and delivery vans. The locations of the truck parking spaces within the Industrial Area are approximately depicted on the Conceptual Site Plan. The Administrator shall have the authority to approve any minor or non-substantial deviations therefrom.

g. Rendering. The buildings constructed within the Industrial Area shall be in general conformance with the front façade design elements depicted in the illustrative building rendering attached hereto as Exhibit B (the "Industrial Rendering"). Notwithstanding the foregoing, the long side of the buildings opposite the dock side shall have a visual break not more than every 150'. The color scheme may be modified from the Industrial Rendering, but shall be uniform throughout the Industrial Area. The

Administrator shall have the authority to approve any minor or non-substantial deviations therefrom.

h. Landscaping.

- i. All landscaping and buffering proposed for the Industrial Area shall comply with the Landscaping and Screening requirements of the Zoning Ordinance which are applicable to the I-2 zoning district.
- ii. Mounding. The landscaping for the Industrial Area shall include:
  - (i) a mound of at least four feet (4') at its apex along a portion of Camby Village Blvd. as approximately depicted on the attached Conceptual Site Plan.
  - (ii) a mound of at least four feet (4') at its apex south of the retention ponds within the Industrial area as approximately shown on the Conceptual Site Plan, and
  - (iii) a mound of at least four feet (4') at its apex within the transitional yard along the eastern border of the Industrial Area as approximately shown on the Conceptual Site Plan.
  - (iv) Among other potential plantings, evergreen trees shall be planted along the top of the mounds so that at maturity, they form a reasonable, visual screen.
- iii. Transitional Yards. Within the Industrial Area, there shall be a minimum of a one hundred foot (100') transitional yard along Camby Village Boulevard, and a minimum seventy-five foot (75') transitional yard along Kentucky Avenue.
- iv. Maintenance and Replacement. Petitioner shall maintain and replace as needed landscaping within the Industrial Area. Substantially damaged, irreparably sick or dead plantings shall be replaced by the Petitioner with the same species, or a species with similar characteristics, within three (3) months or if not possible, advisable or practical due to weather or season, as soon as is practical thereafter.
- i. No vehicular traffic will be allowed to enter/exit the Industrial Area from Camby Village Boulevard. Emergency Vehicle access will be provided for fire department and emergency services only as approximately depicted on the Conceptual Site Plan. The Commercial Area defined in Section B below shall have access from Camby Village Boulevard.
- j. Access for all truck and employee vehicles to / from the Industrial Area will come from Kentucky Avenue.

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B. Commercial Area.

1. **Uses:**

- a. All permitted, accessory, temporary and special exception uses permitted in the C-3 zoning district set forth in the Zoning Ordinance shall be permitted on approximately 1.15 acres at the southeast corner of the Intersection, as approximately depicted on the attached Conceptual Site Plan and on approximately 2 acres at the northeast corner of the Intersection (the "Commercial Area").
- b. In addition to C-3 uses, one (1) Automobile Fueling Station shall be permitted within the Commercial Area.

2. **Site Development:** Development within the Commercial Area shall comply with the development standards for C-3 Zoning District as set forth in the Zoning Ordinance.

C. Residential Area: A residential neighborhood shall be developed on approximately 56.5 acres near the northeast corner of the Intersection (the "Residential Area"), which shall include approximately 20 acres of open space and two types of residential sections as follows:

1. **Single-Family Detached Section:** The easternmost portion of the Residential Area shall include single-family detached residences, as approximately depicted as Lots 1-133 on the attached Conceptual Site Plan (the "Single-Family Detached Section").

- a. **Uses:** All permitted, accessory, temporary and special exception uses permitted in the D-4 zoning district set forth in the Zoning Ordinance shall be permitted within the Single-Family Detached Section.
- b. **Development Standards:** The following development standards shall apply to the Single-Family Detached Section:

Maximum Dwelling Units	133
Minimum Lot Area	6,000 sf
Minimum Lot Width	50'
Minimum Lot Frontage	25'
Minimum Open Space	50%
Maximum Height	35' for a primary structure 24' for accessory structure
Minimum Main Floor Area (sq. ft.)	1,200 sq. ft. for one-story 600 sq. ft for two-story
Minimum Front Yard Building Setback	20'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	20'
Minimum Distance Between Homes	10'

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- c. **Architectural Standards:** The following development standards shall apply to the Single-Family Detached Section:
- i. Permitted exterior materials shall include but are not limited to brick, stone, wood, cement fiber board, stucco, shake, board and batten, and E.I.F.S. Vinyl siding and aluminum siding are prohibited.
  - ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
  - iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters or decorative trim or headers.
  - iv. All homes shall have a minimum Roof Pitch of five to twelve (5:12) for the primary Roof Pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof structures) shall not be considered primary roof for the purposes of the five to twelve (5:12) Roof Pitch requirement.
  - v. All homes shall have a minimum of a twelve (12") inch overhang on homes where the sides consist of siding at the eaves, and a minimum of an eight (8") inch gable overhang on homes where the sides consist of brick at the eaves. This measurement does not include the gutter system.
  - vi. All homes shall have dimensional or architectural grade roof shingles.
  - vii. All homes shall have a minimum two car garage with a minimum size of 380 sq. ft. Third car garages shall have a separate door and shall be recessed a minimum of two (2') feet from the other bays.
  - viii. All homes shall have a minimum of two dusk to dawn carriage lights on the front of each garage.
  - ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
  - x. All homes shall include at least one (1) front yard tree, with corner lots to include an additional two (2) trees in the street side yard, with all being a minimum two-inch (2") caliper at time of planting. In addition, all homes will include a minimum of twelve (12) shrubs or bushes in the front foundation planting bed and all shrubs or bushes will be at least eighteen inches (18") in height at the time of planting.
  - xi. Homes shall have individual mailboxes to be installed by the developer for each house and shall be uniform in design. Mailboxes will be installed in accordance with the direction of the local United States Postal Service.
  - xii. All homes shall have a street number permanently affixed to the front of the home.
  - xiii. All homes shall have hard surfaced driveways with concrete.

- c. **Architectural Standards:** The following development standards shall apply to the Single-Family Detached Section:
- i. Permitted exterior materials shall include but are not limited to brick, stone, wood, cement fiber board, stucco, shake, board and batten, and E.I.F.S. Vinyl siding and aluminum siding are prohibited.
  - ii. All homes shall contain a minimum of brick or stone wainscot on the front and side façade up to the bottom of the first-floor windows excluding doors and garage doors.
  - iii. Unless adjacent to brick or stone, all front façade windows shall have a minimum nominal one-inch by four-inch wood or fiber surround trim, shutters or decorative trim or headers.
  - iv. All homes shall have a minimum Roof Pitch of five to twelve (5:12) for the primary Roof Pitch. Ancillary roofs (including but not limited to porches, garage extensions, overhangs, sunrooms, and third car garages with separate roof structures) shall not be considered primary roof for the purposes of the five to twelve (5:12) Roof Pitch requirement.
  - v. All homes shall have a minimum of a twelve (12") inch overhang on homes where the sides consist of siding at the eaves, and a minimum of an eight (8") inch gable overhang on homes where the sides consist of brick at the eaves. This measurement does not include the gutter system.
  - vi. All homes shall have dimensional or architectural grade roof shingles.
  - vii. All homes shall have a minimum two car garage with a minimum size of 380 sq. ft. Third car garages shall have a separate door and shall be recessed a minimum of two (2') feet from the other bays.
  - viii. All homes shall have a minimum of two dusk to dawn carriage lights on the front of each garage.
  - ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
  - x. All homes shall include at least one (1) front yard tree, with corner lots to include an additional two (2) trees in the street side yard, with all being a minimum two-inch (2") caliper at time of planting. In addition, all homes will include a minimum of twelve (12) shrubs or bushes in the front foundation planting bed and all shrubs or bushes will be at least eighteen inches (18") in height at the time of planting.
  - xi. Homes shall have individual mailboxes to be installed by the developer for each house and shall be uniform in design. Mailboxes will be installed in accordance with the direction of the local United States Postal Service.
  - xii. All homes shall have a street number permanently affixed to the front of the home.
  - xiii. All homes shall have hard surfaced driveways with concrete.



- overhangs, sunrooms, each with separate roof structures) shall not be considered as primary body and may have less than 5/12 pitch.
- v. All homes shall have dimensional or architectural grade roof shingles.
  - vi. Each home (dwelling) shall have an attached 2-car garage with a minimum size of 380 square feet.
  - vii. The total width of front facing garage doors of the buildings (2 dwellings) shall not exceed 50% of the front façade width.
  - viii. All homes shall have a minimum of two dusk to dawn lights on the front of each garage.
  - ix. All homes shall have fully sodded front yards installed by the home builder including the area between the street and sidewalk. The rear and side yards shall be seeded by the home builder.
  - x. Each home (dwelling unit) shall have a minimum of one (1) shade or ornamental tree and eight (8) shrubs.
  - xi. All homes shall have uniform mailboxes.
  - xii. All homes shall have a street number permanently affixed to the front of the home.
  - xiii. All homes shall have hard surfaced driveways of concrete.
  - xiv. No home with the same front yard facing elevation shall be built next door to a home with the same front yard facing elevation.

**3. General Development Standards:** The following general development standards shall apply to the Residential Area:

- a. Streets. The streets within the Residential Area shall be built in accordance to Indianapolis Department of Public Works (“DPW”) current standard of 28’ wide back to back of curb and 24’ wide pavement. On street parking shall be permitted on both sides of the streets within the Development.
- b. Sidewalks. Sidewalks shall be installed by Developer of the Residential Area on the Residential Area side along the frontage of Camby Village Boulevard. Sidewalks shall be installed on both sides of the new streets in the Residential Area. No sidewalks will be installed along the frontage of SR 67.
- c. Street Lights. The Residential Area shall have uniformed street lights at each intersection and no more than 500’ apart between intersections. Street lights shall conform with the standards of the Zoning Ordinance and shall be maintained by the Homeowners’ Association (“HOA”) to be formed by the Developer of the Residential Area.
- d. Signage. Signage within the Residential Area, including neighborhood entrance identification signage, directional or informational signage, and any amenity area signage shall be subject to the approval of the Administrator of the Department of Metropolitan Development.

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- e. Stormwater. The Developer of the Residential Area, subject to DPW's approval, shall install stormwater detention ponds as approximately depicted on the attached Conceptual Site Plan. All detention ponds shall be maintained by the HOA.
  - f. Phasing of Development. The Residential Area shall be constructed in multiple phases.
4. **Open Space and Amenities**. The Residential Area shall have a minimum amount of permanent open space of 20 acres or approximately 35% of the total land area. Amenities within the Residential Area shall include but are not limited to the following:
- Playground area
  - Multipurpose trails
  - Landscaped entry area
  - Landscaping in common areas
  - Tree preservation (along property lines)

The above amenities shall be installed by the Developer of the Residential Area prior to the completion of the Residential Area and turnover to the HOA.

Developer of the Residential Area shall install a six-foot (6') wide asphalt multipurpose trail, as approximately shown on the Conceptual Site Plan, which will be maintained by the HOA. The multipurpose trail shall be installed by the Developer of the Residential Area within six (6) months of the recording of the Final Plat for the Residential Area.

5. **Homeowners' Association / Covenants**. The following shall apply to the Residential Area and shall be incorporated into the Declaration of Covenants, Conditions and Restrictions ("Covenants") for the Residential Area that shall be recorded prior to or simultaneously with the final plat for the Residential Area. The Homeowners' Association ("HOA") shall be established by the Developer of the Residential Area pursuant to the terms of the Covenants and the HOA shall govern the Residential Area by the Covenants.
- a. The Covenants shall apply to all the real estate within the Residential Area.
  - b. The maintenance and upkeep of the Open Space within the Residential Area including the detention ponds, common areas and amenities shall be the responsibility of the HOA.
  - c. Within the Paired Patio Section, the HOA shall be responsible for lawn mowing and treatment, snow removal and routine cleaning and maintenance of the following exterior elements of the homes in the Paired Patio Section: siding, shutters, trim and roof, provided that the HOA shall not be responsible for replacement of such exterior elements.
  - d. Upon the sale of 80% of the homes within the Residential Area the Developer of the Residential Area shall work with the homeowners within the Development to establish a Homeowner Board of Directors to be responsible for management of the HOA.



- e. Mini-barns or outside storage sheds shall be prohibited within the Residential Area.
- f. Above ground swimming pools shall be prohibited within the Residential Area, excluding small inflatable pools that are no larger than 25 square feet which shall be stored out of sight when not in use.
- g. Basketball goals shall be prohibited within the Residential Area.
- h. No campers, motor homes, buses, truck trailers, boats or other recreational vehicle shall be stored on any common area, public street, or Lot in public view, nor shall unlicensed or disabled vehicles be stored outdoors within the Residential Area.

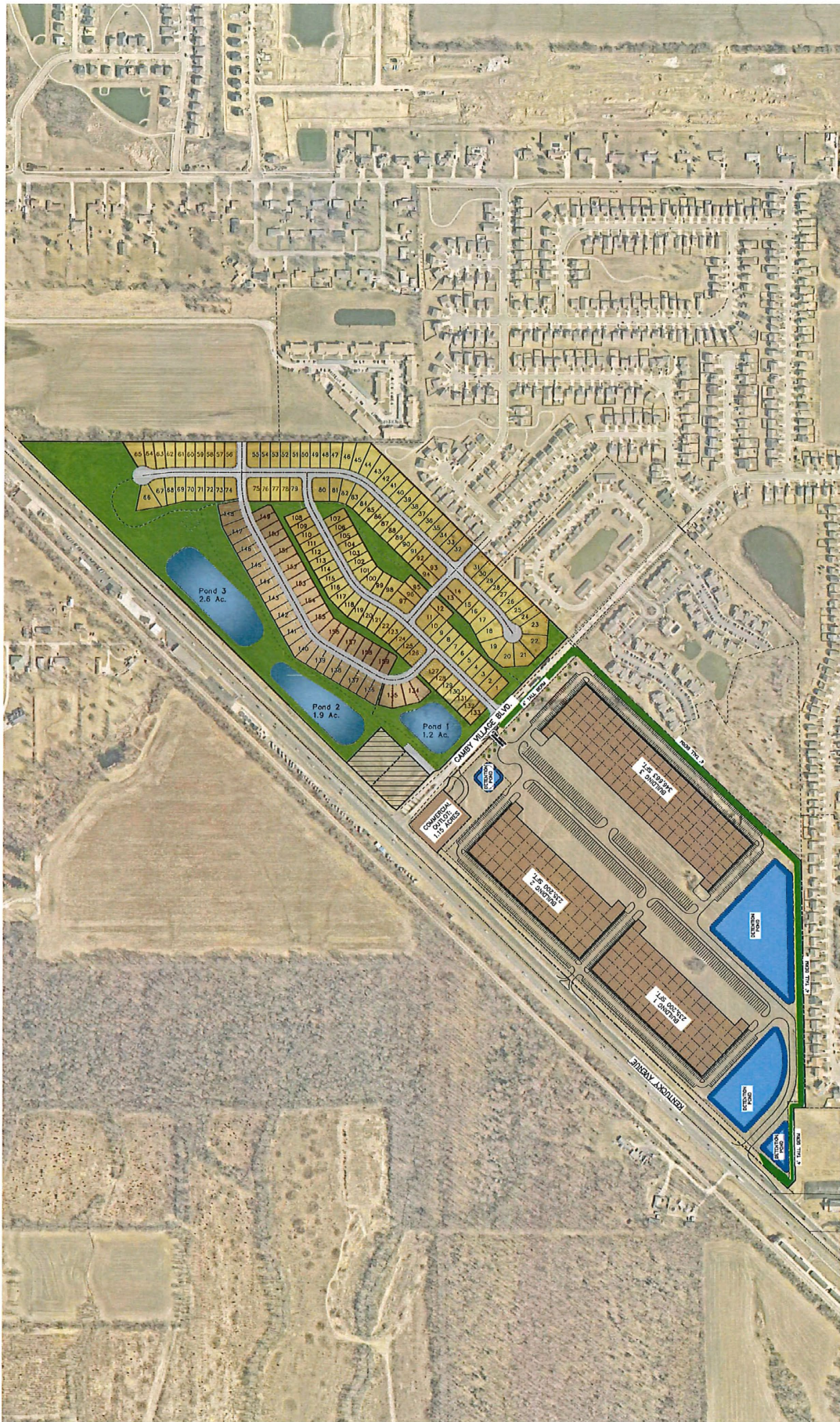
**Exhibit B**  
**Industrial Rendering**



Metropolitan Development  
Aug 25 2022  
Division of Planning



# EXHIBIT B



August 24, 2022

## Combined Conceptual

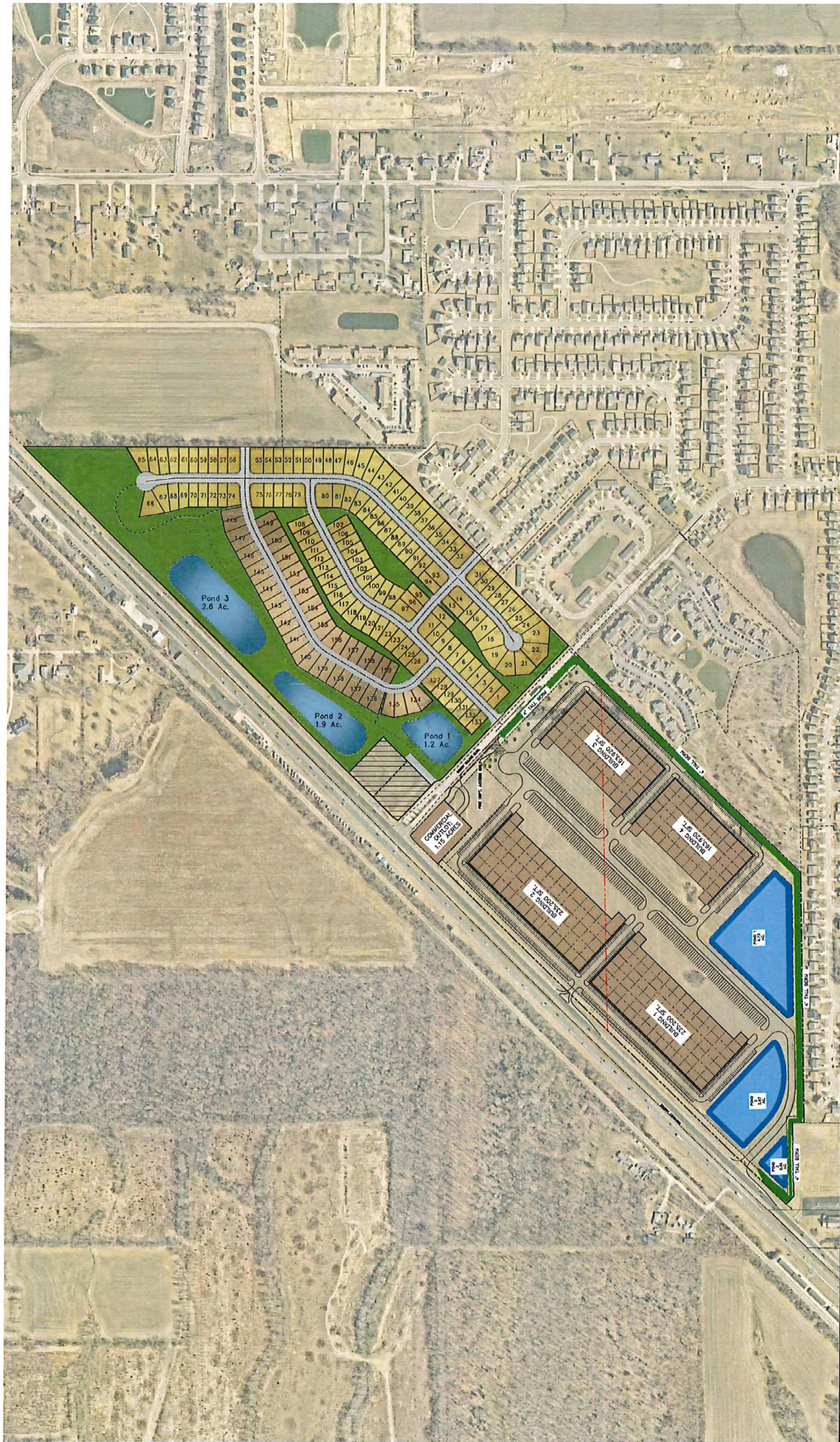
Camby Village  
SR 67 (Kentucky Avenue)  
Indianapolis, Indiana


PREPARED FOR: [Redacted]  
DATE: Aug 25, 2022  
PROJECT: [Redacted]



2019.02235








0' 200'  
SCALE: 1" = 200'  
August 22, 2022

## Combined Conceptual

Camby Village  
SR 67 (Kentucky Avenue)  
Indianapolis, Indiana



STRUCTUREPOINT  
2019.02.23.5





View looking south along Kentucky Avenue



View looking north along Kentucky Avenue





View of site looking north across Camby Village Boulevard



View of site looking north across Camby Village Boulevard





View of site looking north across Camby Village Boulevard



View looking northeast at adjacent residential development to the east





View of site looking north from single-family development to the east



View of site looking northwest from single-family development to the east





View of site looking northwest from multi-family development to the east



View of site looking northwest from multi-family development to the east





View of multi-family dwellings looking south across Camby Village Boulevard



View of site looking south across Camby Village Boulevard





View of site looking south across Camby Village Boulevard



View of site looking south across Camby Village Boulevard



View of site looking southwest across Camby Village Boulevard