



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

February 27, 2025

**Case Number:** 2024-ZON-147  
**Property Address:** 6900 Milhouse Road (Approximate Address)  
**Location:** Franklin Township, Council District #25  
**Petitioner:** D. R. Horton – Indiana, LLC, by Brian. J. Tuohy  
**Current Zoning:** D-A  
**Request:** Maze Family Farm, LLC, Paul L. Walton, Cheryl H. Walton, Christopher D. Reed, and Kimberly K. Reed, by Tony Bagato  
**Current Land Use:** Agricultural  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Desire Irakoze, Principal Planner II

**PETITION HISTORY**

This is the first public hearing for this petition.

**STAFF RECOMMENDATION**

Staff **recommends approval** of the request.

If approved staff’s recommendation, approval shall be subject to the following commitment.

1. The proposed dwelling count does not exceed 304 dwelling units.

**PETITION OVERVIEW**

**LAND USE**

The petitioner request rezoning of the 195.776-acre subject site to provide for 304 single family homes. This would be a density of 1.55 units per acre. This is a similar request to the Harmony Subdivision to the east of subject site, which was rezoned to D-P and was approved for 380 single family homes on 148.8 acres for a density of 3.7 units per acre.

The surrounding zoning designations and land uses are as follows:

**North:** Zoned D-A Agricultural & Residential Uses.  
**South:** Zoned D-A Agricultural Use & Residential Uses.  
**East:** Zoned D-P Residential Use (Harmony Subdivision)  
**West:** Zoned D-A Agricultural & Residential Uses.

The Comprehensive Land Use Plan recommends the Suburban Neighborhood typology for the area. The predominate land use in this typology is single-family detached dwellings at a typical density range of one to five units per acre.



**REZONING REQUEST**

This petition seeks to rezone this site from the D-A district to the D-4 district to provide for a 304 single-family subdivision.

**Zoning District Overview:**

**D-A (Dwelling Agriculture District):** Agricultural lands of Marion County and provides for a variety of agricultural uses. Most agricultural uses (farms) are permitted in this District. 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. The district does not require public water and sewer facilities.

**D-4 (Dwelling District Four):** Low or medium intensity single-family and two-family residential development at a typical density of 4.2 units per acre. 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.

**FF (Floodway Fringe District):** Secondary zoning district that overlays the primary zoning district. FF indicates a 1% chance for significant flooding as well as shallow flooding in any given year. FF is based upon hydrological data and is delineated on the FEMA maps.

**FW (Floodway District):** Secondary zoning district that overlays the primary zoning district. FW indicates the channel of a river or stream and portions adjoining the channels that are necessary to carry the waters of a base flood. FW is based upon hydrological data and is delineated on the FEMA maps.

Zoning District	D-A	D-4
<b>LOT STANDARDS</b>		
Min Lot Area, Single-Family	3 acres (130,680 sq. ft.)	7,200 sq. ft.
Min Lot Area, Two-Family	N/A	10,000 sq. ft.
Min Lot Width, Single-Family	250 ft	60 ft.
Min Lot Width, Two-Family	N/A	90 ft.
Min Lot Frontage	125 ft	30 ft.
Min Open Space	85 %	65%
<b>SETBACKS</b>		
Min Depth Front Yard		
Min Width of Side Yard	30 ft.	5 ft.
Min Width of Side Yard (Aggregate)	75 ft.	13 ft.
Min Depth of Rear Yard	75 ft.	20 ft.
<b>BUILDING STANDARDS</b>		
Max Height Of Primary Building	35 ft.	35 ft.
Max Height Of Accessory Building	24 ft.	24 ft.
Min Main Floor Area (1-Story)	1200 sq. ft.	900 sq. ft.
Min Main Floor Area (Above 1-Story)	800 sq. ft.	660 sq. ft.

## STAFF ANALYSIS

The comprehensive plan shows this area as The **Rural or Estate Neighborhood and Suburban Neighborhood** typologies, The typical density of this typology is 1 dwelling unit per acre (1.00) and 5 units per acre respectively. The submitted site plan shows a density of 1.55 units per acre. While the rezone is for D-4, the proposed density is more in line with D-2 zoning direct.

The proposed rezone has a similar density and development to the Harmony Subdivision to the east.

**IndyMoves 2018** designates McGregor Road for a proposed Multi-Use Path, which would enhance connectivity for pedestrian and cyclists, Linking the neighborhood to the broader pedestrian network and supporting further development of the trail system. In compliance with the Section of 741-304.C Bicycle Facilities, the petitioner is required to provide bicycle connections throughout the subdivision.

### Traffic Analysis:

Traffic Impact Study dated September 18<sup>th</sup>, 2024.

The conclusions that follow are based on existing traffic volume data, trip generation, assignment, and distribution of generated traffic, and the capacity analyses/level of service results. Based on the analysis and the resulting conclusions of this study, the following recommendations are formulated to ensure that the roadway system will accommodate the increased traffic volumes from the proposed development.

1. Mitthoefer Road & McGregor Road
  - a. **Recommendation:**
    - i. No improvements are necessary at this intersection.
2. Mitthoefer Road & Maze Road
  - a. **Recommendation:**
    - i. No improvements are necessary at this intersection.
3. Acton Road & McGregor Road
  - a. **Recommendation:**
    - i. No improvements are recommended at this time. However, further evaluation may be required based on future traffic conditions.
4. McGregor Road & Proposed Access Drive
  - a. **Recommendations:**
    - i. Construct a northbound full-access drive with one inbound lane and one outbound lane.
    - ii. Install stop control at the access drive, requiring vehicles to stop before entering McGregor Road.
5. Maze Road & Proposed West Access Drive
  - a. **Recommendations:**
    - i. Construct a southbound full-access drive with one inbound lane and one outbound lane.
    - ii. Install stop control at the access drive, requiring vehicles to stop before entering Maze Road.
6. Maze Road & Proposed East Access Drive
  - a. **Recommendations:**



- i. Construct a southbound full-access drive with one inbound lane and one outbound lane.
- ii. Install stop control at the access drive, requiring vehicles to stop before entering Maze Road

Staff understands that the site plan is conceptual and would note that the landscape requirements of the Ordinance would need to be met at the platting stage of development.

For these reasons, Staff is recommending **approval** of the request.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	D-A		
<b>Existing Land Use</b>	Agricultural		
<b>Comprehensive Plan</b>	Rural or Estate Neighborhood & Suburban Neighborhood		
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>	
	North:	D-A	Residential (Single-family dwellings)
	South:	D-A	Residential (Single-family dwellings)
	East:	D-P	Residential (Single-family dwellings)
	West:	D-A	Agricultural (Single-family dwellings)
<b>Thoroughfare Plan</b>			
Maze Road	Secondary Arterial	80-foot existing right-of-way 104-foot proposed right-of-way	
Mitthoefer Road	Primary Arterial	80-foot existing right-of-way 91-foot proposed right-of-way	
McGregor Road	Primary Arterial	80-foot existing right-of-way 90-foot proposed right-of-way.	
<b>Context Area</b>	Metro		
<b>Floodway / Floodway Fringe</b>	Floodway & Floodway Fringe		
<b>Overlay</b>	No		
<b>Wellfield Protection Area</b>	No		
<b>Site Plan</b>	11/13/2024		
<b>Site Plan (Amended)</b>	2/18/2025		
<b>Elevations</b>	N/A		
<b>Elevations (Amended)</b>	N/A		
<b>Landscape Plan</b>	N/A		
<b>Findings of Fact</b>	N/A		
<b>Findings of Fact (Amended)</b>	N/A		
<b>C-S/D-P Statement</b>	N/A		

- Marion County Land Use Plan Pattern Book (2019)
- Indy Moves Transportation Integration Plan (2018)

### Pattern Book / Land Use Plan

- The Marion County Land Use Plan Pattern Book (2019) recommends Community Commercial development for the subject 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.
  - **Detached Housing**
    - *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.
  - **Modified Uses 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.
- 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.

- **Conditions for All Housing**

- A mix of housing types is encouraged.

#### **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)

- Indy Moves 2018-Pedal Indy 2018 McGregor Road is proposed a Multi-Use Path

## ZONING HISTORY

### Zoning History – Site

**2002-ZON-085 / 2002-DP-006; 8020 Acton Road** (East of Subject Site), rezone 148.8 acres from D-A to D-P, to provide for single-family residential development with a density of 3.7 units per acre. **Approved**

**90-SE-5; 11039 Exchange Street** (east of site), request a special exception to legally establish an existing church and allow a roofline change. **Granted**

**90-UV3-48; 1101 Virgill Street** (east of site), request a variance of use a development standards of the Commercial Zoning Ordinance to Provide for the Use of an Existing building and parking lot for small engine and farm equipment repair with office. **Granted.**



**EXHIBITS**

