



**METROPOLITAN DEVELOPMENT COMMISSION  
HEARING EXAMINER**

February 29, 2024

**Case Number:** 2023-ZON-119  
**Property Address:** 7725 Kentucky Avenue  
**Location:** Decatur Township, Council District #21  
**Petitioner:** Lennar Homes of Indiana, LLC, by Brian J. Tuohy  
**Current Zoning:** C-4 and C-S  
**Request:** Rezoning of 60.22 acres from the C-4 and C-S districts to the D-4 district to provide for single-family residential development.  
**Current Land Use:** Undeveloped  
**Staff Recommendations:** Approval  
**Staff Reviewer:** Kathleen Blackham, Senior Planner

**PETITION HISTORY**

The Hearing Examiner continued this petition from the January 11, 2024 hearing, to the January 25, 2024 hearing, the February 15, 2024 hearing, and to the February 29, 2024 hearing, to provide time for discussions regarding the need for a Traffic Impact Study (TIS) and / or the need for a traffic signal at the intersection of Kentucky Avenue and Camby Village Boulevard. Because the Indiana Department of Transportation (INDOT) has jurisdiction of Kentucky Avenue in this area, the decision would be made by that office.

**STAFF RECOMMENDATION**

Approval, subject to substantial compliance with the site plan, filed-dated December 7, 2023.

**PETITION OVERVIEW**

This 60.22-acre site, zoned C-4 and C-S is undeveloped. It is surrounded by undeveloped land to the north, zoned C-S; religious uses and single-family dwellings to the south, zoned SU-1 and D-4; multi-family dwellings to the east, zoned D-7 and single-family dwellings and undeveloped land to the west, across Kentucky Avenue, zoned D-A and SU-46 (Airport).

**Rezoning**

This request would rezone the site from the C-4 and C-S districts to the D-4 district. "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.”

As proposed this request would be consistent with the Comprehensive Plan recommendation of suburban neighborhood. The development would consist of 168 single-family dwellings on 80-foot by 120-foot lots (minimum lot area of 7,200 square feet), with an approximately 2,879-square-foot building pad. An amenity area would be located near the development entrance proposed along Camby Village Boulevard. Three retention / detention ponds would occupy approximately 7.23 acres of the site.

Given the number of proposed units, staff inquired about the need for a Traffic Impact Study (TIS) and the possibility for a traffic signal at the Kentucky Avenue intersection. Kentucky Avenue (SR 67) lies within jurisdiction of the State of Indiana Department of Transportation (INDOT). Staff understands attempts have been made to engage INDOT but at this time, no document has been submitted to the file regarding the need for a TIS or a traffic signal. If information would be filed prior to the hearing, staff will provide an update at the hearing.

The density of this development would be 2.79 units per acres when the typical density of the D-4 district would be 4.2 units per acre. Staff believes the proposed reduction in density would be acceptable and more compatible given the surrounding land uses in this area.

**GENERAL INFORMATION**

<b>Existing Zoning</b>	C-4 and C-S	
<b>Existing Land Use</b>	Undeveloped	
<b>Comprehensive Plan</b>	Suburban Neighborhood	
<b>Surrounding Context</b>	<b>Zoning</b>	<b>Land Use</b>
North:	C-S	Undeveloped land
South:	SU-1 / D-4	Religious uses / single-family dwellings
East:	D-7	Multi-family dwellings
West:	D-A / SU-46	Single-family dwellings / undeveloped land
<b>Thoroughfare Plan</b>		
Kentucky Avenue	Marion County Thoroughfare Plan (2019)	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.

Camby Village Boulevard		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
<b>Context Area</b>	Metro	
<b>Floodway / Floodway Fringe</b>	No	
<b>Overlay</b>	No	
<b>Wellfield Protection Area</b>	No	
<b>Site Plan</b>	December 7, 2023	
<b>Site Plan (Amended)</b>	N/A	
<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	

**COMPREHENSIVE PLAN ANALYSIS**

**Comprehensive Plan**

- 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.”

**Pattern Book / Land Use Plan**

- 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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**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

**2022-ZON-112; 7305 Kentucky Avenue (north of site)**, requested 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, **approved**.

**2019-ZON-036; 8900 Mooresville Road (included 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**.

**2005-APP-167; 8900 Mooresville Road (included site)**, requested modification of commitments related to petitions 96-Z-76A, 96-Z-76B and 97-Z-76C to modify Commitment Number Four to eliminate the following sentence, "The development of this 10 acres shall not comment until all of the adjacent DO real estate within the Camby Crossing Development has been developed; however, this 10 acres may be developed simultaneously with the final phase of said DO development.", **withdrawn**.

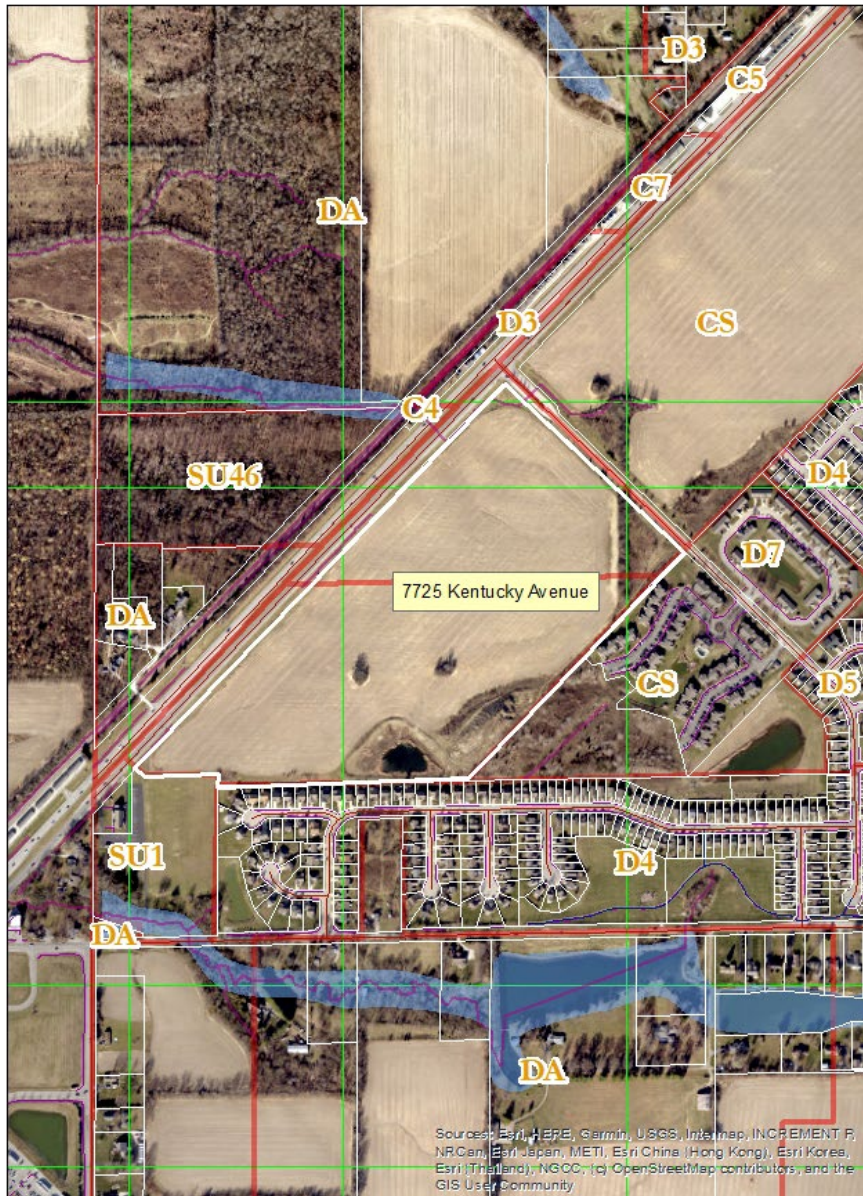
**96-Z-76 A; 7401 Kentucky Avenue (included site)**, requested rezoning of 10.99 acres, being in the D-3 and C-4 Districts, to the D-7 classification to provide for multi-family development, **approved**.

**96-Z-76 B; 7401 Kentucky Avenue (included 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**.

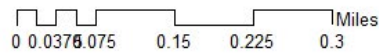
**96-Z-76 C; 8201 Camby Road (included site)**, requested rezoning of 52.62 acres, being in the D-3 and D-7 Districts, to the C-S classification to provide for the construction of a self-storage facility, with ancillary uses, including an office and resident manager; office, commercial, multi-family,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

**96-Z-76 D; 8302 Trotter Road (included 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**.

EXHIBITS

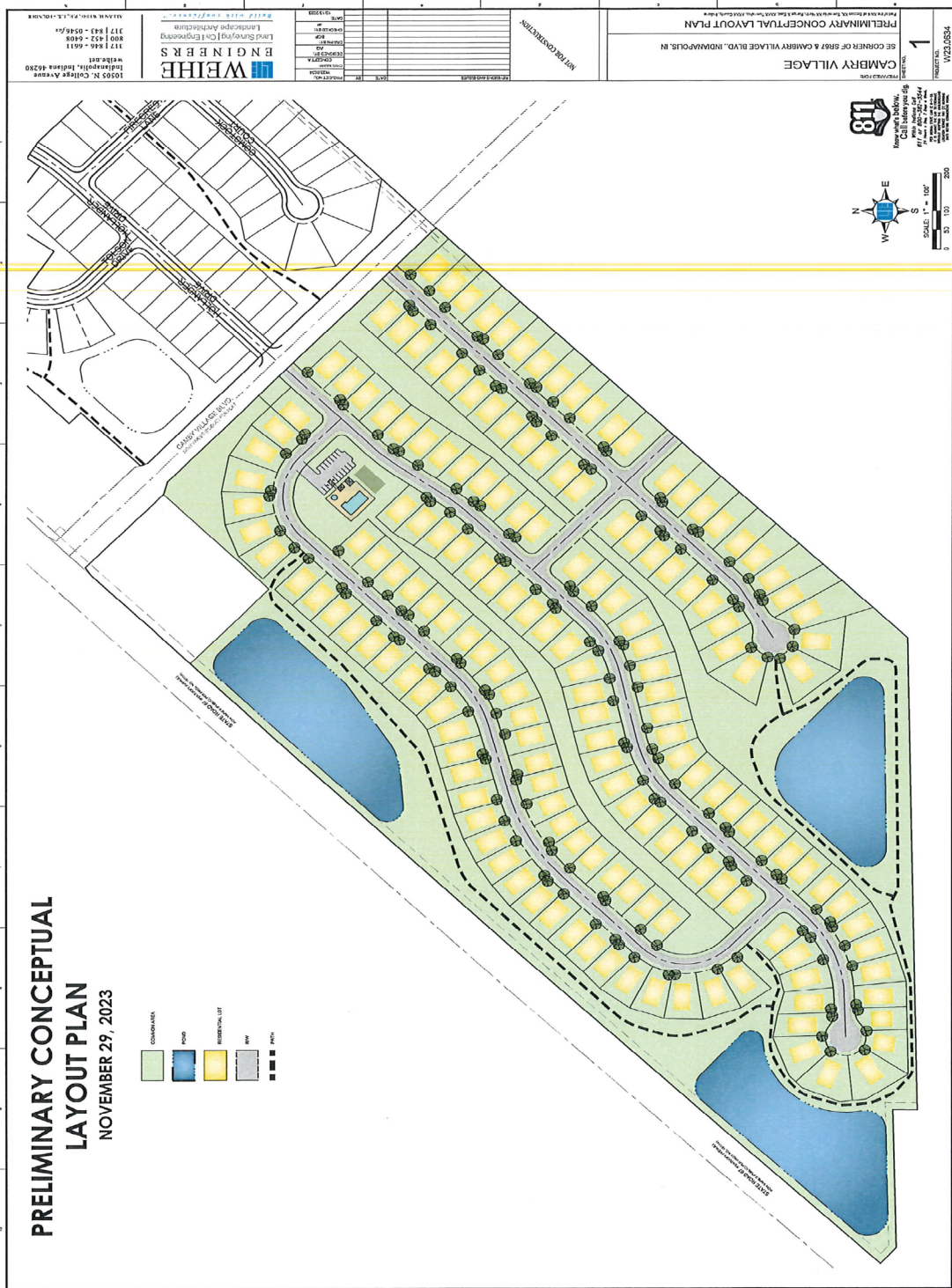


7725 Kentucky Avenue









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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