

ORDINANCE NO. 25-2025

AN ORDINANCE OF THE TOWN OF DANVILLE ZONING CERTAIN TERRITORY

WHEREAS, the Town Council of the Town of Danville, Indiana has adopted a Zoning Ordinance for the Town that includes a map showing the zoning classifications assigned to land within the Town boundaries; and

WHEREAS, a petition has been filed by Avon Crest Apartments, LLC for the Town of Danville to zone certain real estate located in the Northwest Quarter of Section 8, Township 15 North, Range 1 East, Washington Township, Hendricks County, Indiana. This real estate is more commonly known as being located at 4055 & 4099 East Main Street, Danville, IN, and is fully described in the attached legal description (Exhibit A) and illustrated in attached Exhibit B; and

WHEREAS, in the petition, Avon Crest Apartments, LLC requested Residential 2 (R2) zoning to be assigned to this real estate; and

WHEREAS, the Danville Plan Commission has conducted a public hearing on the petitioner's proposed zone classification for this territory and has certified the proposal with a favorable recommendation to the Danville Town Council; and

WHEREAS, the Danville Town Council has reviewed and considered the Plan Commission's recommendation.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DANVILLE, INDIANA THAT:

The real estate described in the attached legal description shall have the zoning classification of **Residential 2 (R2)**.

This ordinance is hereby passed and adopted on this 15th day of October 2025.

TOWN COUNCIL OF DANVILLE, INDIANA

Dave Potter, President

Michael Chatham, Vice-President

Greg Irby, Member

Bret Doub, Member

Chris Gearld, Member

Constituting a majority of all the members
of the Town Council of Danville, Indiana

ATTEST:

Carrie Lofton, Clerk-Treasurer

CERTIFICATION OF ZONING PROPOSAL

TO: Danville Town Council
FROM: Danville Plan Commission
DATE: October 9, 2025
RE: Favorable Zoning Recommendation

On October 8, 2025, the Danville Plan Commission conducted a public hearing on a petition by Avon Crest Apartments, LLC to rezone 5.86 acres from Agricultural Residential & Multifamily Residential (AGR & RE/Hendricks County) to Residential 2 (R2). The property is located at 4055 & 4059 East Main Street.

After the public hearing, the Plan Commission voted to ***favorably*** recommend to the Danville Town Council to rezone the above-referenced property to Residential 2 (R2) District subject to approval of annexation into the Danville corporate limits.

Having complied with the applicable statutory procedures, the Plan Commission hereby certifies this proposal and its recommendation to the Town Council.

Danville Plan Commission

By:  By: 
Loris L. Thompson, President ~~Barry Lofton~~, Secretary

CASE SUMMARY

Rezoning Request

Case: 2025-2261
Avon Crest Apartments, LLC, Petitioners
Joe Calderon, Attorney, Barnes & Thornburg, LLP, Representative

Request: Rezone to Residential 2 (R2)

Location: 4055 & 4099 East Main Street

Acreage: 5.86 acres

Zoning: AGR & RE (County)

Staff Summary:

The petitioners are requesting a Residential 2 zoning classification to allow for the development of an 84-unit apartment complex. The site consists of three parcels: one vacant parcel, one containing a single-family residence, and one with two apartment buildings, each with approximately eight units. The petitioners are also seeking annexation of the property into the Danville corporate limits. If both the rezoning and annexation are approved, the proposed development would include two buildings with 24 units each and one building with 36 units, along with a clubhouse and pool.

The property is located on the south side of East Main Street in Washington Township. Surrounding land uses include residential to the north; the Village of Avon and Avon Health and Rehabilitation Center to the south; a mix of residential and commercial uses to the east; and recently annexed, rezoned light industrial property to the west, which will be developed as Date Label. This area is characterized by a variety of mixed uses and zoning districts.

According to the Future Land Use Plan, the site is designated as part of Special District #1 Short-Term Residential Growth Areas. The proposed request is consistent with the Comprehensive Plan's scenario-based approach to residential development on the east side of the community.

As of this writing, staff has not received any inquiries following the certificate of mailing to adjoining property owners.

Staff supports the petitioners' request for R-2 zoning, as it is consistent with the Comprehensive Plan and compatible with the surrounding mix of uses.

Plan Commission Action:

Favorable Recommendation for Rezoning Request
Favorable Recommendation for Rezoning Request with Commitments
Unfavorable Recommendation for Rezoning Request



ADVISORY PLAN COMMISSION

49 North Wayne Street | Danville, IN 46122
317-745-4180 | www.danvilleindiana.org

Date of Hearing: 10-8-26
Plan Commission Action: _____

App. No. 2025-2261
Fee: \$646.50
Received By: LT

APPLICATION FOR APPROVAL (Check all that apply)

- ☐ Plat ☐ Replat ☐ Revision ☐ Amendment ☐ Minor Plat ☐ PUD
☐ SPR ☒ Rezone ☐ Exempt Subdivision

* Please fill out the form in its entirety

Name (s) of Owner (s) Avon Crest Apartments LLC
Address (s) 5920 Tart Blvd., Indianapolis, Indiana
Phone (s) (516) 406-2215 Email (s) manheet@gmail.com
Owners' Representative (Subdivider, if any) and/or Registered Engineer or Land Surveyor: 1) Joseph D. Calderon, 2) Andy Swanson
1) Barnes & Thornburg LLP, 11 S. Meridian St., Indianapolis, IN 46204
Address (s) 2) JPS Consulting Engineers, 9365 Counselors Row, Suite 116, Indianapolis, IN 46240
Phone (s) 1) 317-231-7787, 2) 317-617-4170 Email (s) 1) jcalderon@blaw.com, 2) aswanson@jpsce.com

I (We) do hereby apply for approval of the following described plat of a subdivision in accordance with the Subdivision Control Ordinance. I (We) am (are) the owner (s) of the real estate included in said subdivision.

Name of Subdivision: Avon Crest Apartments

Address of Subject Property: 4055 and 4099 East Main Street, Danville, IN 46123

Generally described as follows:

Area (in acres): 5.86 Number of Lots: 3

Existing Zoning District (if applicable to rezone): County AGR and RE

Proposed Zoning District (if applicable to rezone): R2

Parcel ID#: 32-10-08-100-005-000-022, 32-10-08-100-019-000-022, 32-10-08-100-020-000-022 Current Zoning District: AER/RE

Feet of new streets to be dedicated to the public: 1100 feet

Feet of sanitary sewers to be dedicated to the public: 1400 feet

Feet of water main to be dedicated to the public: 1050 feet

Feet of storm sewer to be dedicated to the public: 1445 feet

STATE OF INDIANA)
MARION) SS:
HENRICKS COUNTY)

The undersigned certifies that the above information is true and correct to the best of his (her) knowledge.

Marilyn J. Jager
Signature of Owner/Applicant (s)

Dwight / Member
Title of Applicant

Statement of Intent
Avon Crest Apartments LLC
4055 and 4099 East Main Street

Avon Crest Apartments LLC (the “Applicant”) acquired certain improved real estate located at what is commonly known as 4055 and 4099 East Main Street (the “Subject Property”). The Subject Property is comprised of three (3) tax parcels, 32-10-08-100-005.000-022; 32-10-08-100-019.000-022 and 32-10-08-100-020.000-022, which collectively comprise 5.86 acres.

The Subject Property is currently under Hendricks County zoning jurisdiction, with parcels 32-10-08-100-005.000-022 and 32-10-08-100-020.000-022 zoned in the “RE” zoning district, which permits multi-family use, and 32-10-08-100-019.000-022 zoned in the “AER” zoning district, which does not.

Historically, the two RE parcels have been improved with multi-family buildings dating back to the 1950’s, per the assessor’s property record cards.

The Applicant proposes to redevelop the Subject Property by building new multi-family buildings and demolishing the existing buildings. The site plan filed with the Rezoning Application shows three multi-family buildings with a total of 84 units, a clubhouse, and amenities.

The Applicant is in the process of annexing the Subject Property into the Town of Danville (the “Town”), as the Subject Property meets required contiguity requirements and the Town provides, or can provide, essential services with no detriment to the Town. The Applicant plans on extending necessary public utilities to the Subject Property, working with the Town and other public utilities with jurisdiction. Because of the historical use of the Subject Property, the existing RE zoning on two of the three tax parcels, and that the Subject Property is in the Town’s Short Term Growth area, the Applicant believes that the requested R-2 zoning is appropriate.

AVON APARTMENTS 4055 E MAIN ST, AVON, IN 46123

NUMBER	DATE	DESCRIPTION
1	09/16/25	90% CONSTRUCTION DOCUMENTS

SITE
 IMPROVEMENT
 PLAN
 DANVILLE

DATE	09/16/25
BY	JPS
CHECKED	JPS
PROJECT	AVON
OWNER	AVON
DESIGNED	JPS
DATE	09/16/25

C500



BY:

REVISION	DATE	DESCRIPTION
1	09/16/25	INITIALS

PARKING TABLE

REVISION	DATE	DESCRIPTION
1	09/16/25	INITIALS

As of 09-16-25

UNIT MATRIX

Unit Type	1-Bed Units	2-Bed Units	3-Bed Units	Total Units	Total Bedrooms
Type 1	12	12	24	48	36
Type 2	12	12	24	48	36
Type 3	12	12	24	48	36
TOTALS	36	36	72	144	108

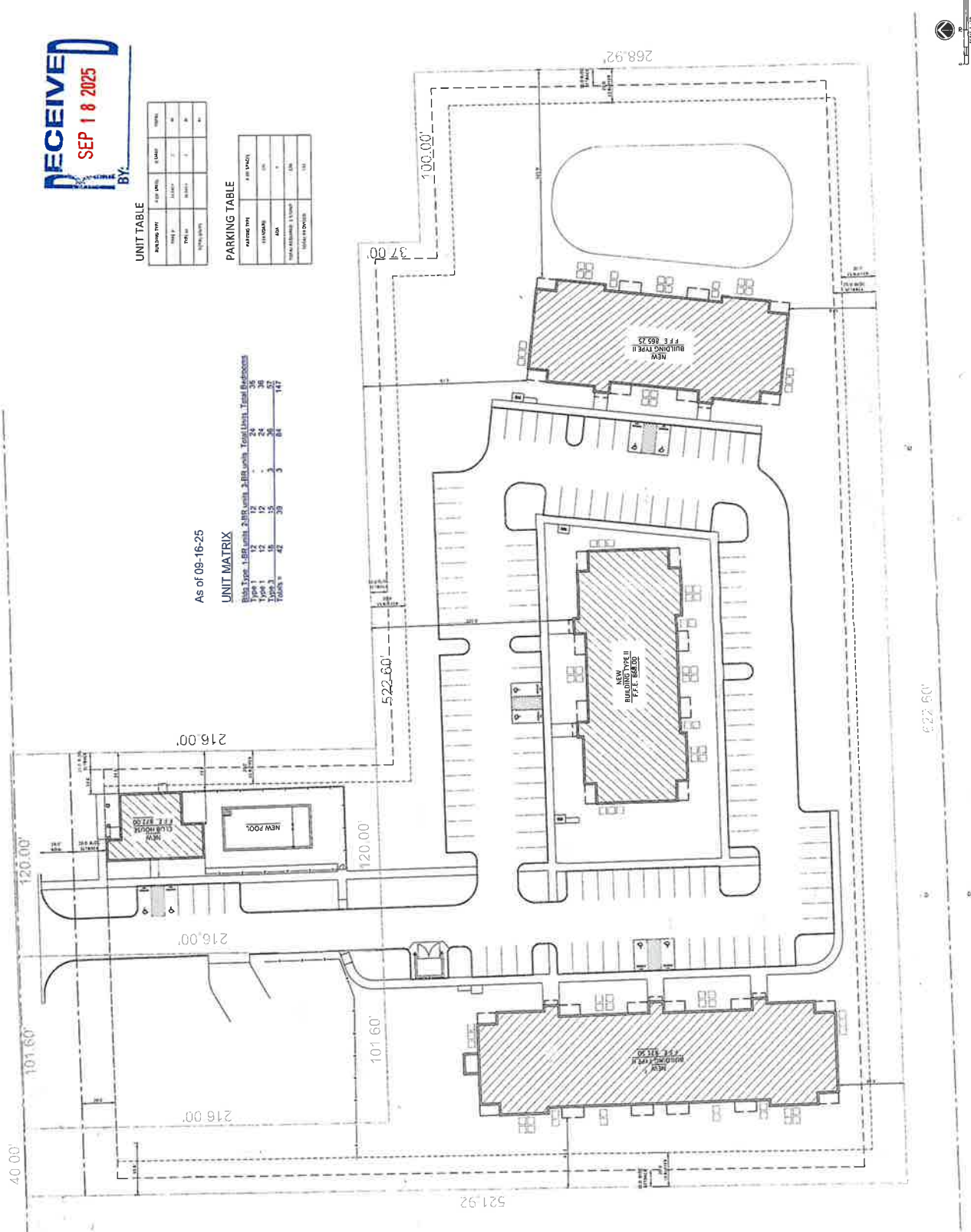


EXHIBIT A LEGAL DESCRIPTION

PARCEL I (Tax ID 32-10-08-100-005.000-022)

The following represents a legal description of a tract of land located in the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, said tract being more particularly bound and described as follows, to-wit:

Assuming the North line of the Northwest Quarter of Section 8 as being North 90 degrees 00 minutes 00 seconds East and all other bearings being relative thereto; being a part of the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana and Brass plug found, per county ties, marking the Northwest corner of the Northwest Quarter of Section 8; thence running along the North line of said Quarter Section bearing North 90 degrees 00 minutes 00 seconds East 505.00 feet to a Mag Nail set marking the Northwest corner of a tract of land for "Manners" as described in Deed Book 348, Pages 62-66 in the Office of the Recorder of Hendricks County, Indiana and the POINT OF BEGINNING FOR THIS LEGAL DESCRIPTION; thence continuing to run along the North line of the Northwest Quarter of said section bearing North 90 degrees 00 minutes 00 seconds East 40.00 feet to a Mag Nail set; thence running parallel with the West line of the Northwest quarter bearing South 01 degrees 05 minutes 25 seconds West 216.00 feet to a 5/8" re-bar set; thence South 90 degrees 00 minutes 00 seconds East 622.60 feet to a 5/8" re-bar set at the Northeast corner of "Manners"; thence running along the East line of "Manners" bearing South 01 degrees 05 minutes 25 seconds West 305.92 feet to the Southeast corner of "Manners"; thence running along the South line of "Manners" bearing South 90 degrees 00 minutes 00 seconds West 662.60 feet to a 5/8" re-bar set marking the Southwest corner of "Manners"; thence running North along the West line of "Manners" bearing North 01 degrees 05 minutes 25 seconds East 521.92 feet to the POINT OF BEGINNING; containing 4.85 acres, more or less.

EXCEPTING THEREFROM, that part of the above described property conveyed to Roy L. Maners and Wanda L. Maners, Co-Trustees, The Roy L. Maners and Wanda L. Maners Revocable Living Trust by Quitclaim Deed recorded November 9, 1998, as Instrument Number 9800030154 in Volume 87, page 976, in the Office of the Recorder of Hendricks County, Indiana, described as follows:

The following represents a legal description of a tract of land located in the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana. Said tract being more particularly bound and described as follows, to-wit: Assuming the North line of the Northwest Quarter of Section 8 as being North 90 degrees 00 minutes 00 seconds East and all other bearings being relative thereto; commencing at a Brass monument found, per county ties, marking the Northwest corner of the Northwest Quarter of Section 8; thence running along the North line of said Quarter Section bearing North 90 degrees 00 minutes 00 seconds East 1067.60 feet to the Northwest corner of a tract of land for "Manners" as described in Deed Book 174, Pages 164-165 in the Office of the Recorder of Hendricks County, Indiana; thence running along the West line of "Manners" bearing South 01 degrees 05 minutes 25 seconds West 216.00 feet to the Southwest corner thereof and the Point of Beginning for this Legal Description; thence running along the South line of "Manners" bearing North 90 degrees 00 minutes 00 seconds East 100.00 feet to the Southeast corner thereof, said corner being the Northeast corner of a tract of land for "Manners" as described in Deed Book 325, Pages 717-720; thence running along the East line of "Manners" bearing South 01 degrees 05 minutes 25 seconds West 37.00 feet to a 5/8" re-bar with cap set; thence running parallel with the North line of the Northwest Quarter bearing North 90 degrees 00 minutes 00 seconds West 100.00 feet to a 5/8" re-bar with cap set; thence running parallel with the West line of the

LEGAL DESCRIPTION

(continued)

Northwest Quarter bearing North 01 degrees 05 minutes 25 seconds East 37.00 feet to the Point of Beginning; containing 0.08 acre, more or less.

PARCEL II (Tax ID 32-10-08-100-020.000-022)

The following represents a legal description of a tract of land located in the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, said tract being more particularly bound and described as follows, to-wit:

Assuming the North line of the Northwest Quarter of Section 8 as being North 90 degrees 00 minutes 00 seconds East and all other bearings being relative thereto; being a part of the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, and brass plug found, per county ties, marking the Northwest corner of the Northwest Quarter of Section 8; thence running along the North line of said quarter bearing North 90 degrees 00 minutes 00 seconds East 646.60 feet to a mag nail set and the point of beginning for this legal description; thence continuing to run along the North line of the Northwest Quarter of said section bearing North 90 degrees 00 minutes 00 seconds East 120.00 feet to a mag nail set; thence South parallel with the West line of the Northwest Quarter bearing South 01 degrees 05 minutes 25 seconds West 216.00 feet to a 5/8 inch rebar set; thence South 90 degrees 00 minutes 00 seconds West 120.00 feet to a 5/8 inch rebar set; thence North 01 degrees 05 minutes 25 seconds East 216.00 feet to the point of beginning; containing 0.59 acre, more or less.

PARCEL III (Tax ID 32-10-08-100-019.000-022)

The following represents a legal description of a tract of land located in the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana, said tract being more particularly bound and described as follows, to-wit:

Assuming the North line of the Northwest Quarter of Section 8 as being North 90 degrees 00 minutes 00 seconds East and all other bearings being relative thereto; being a part of the Northwest Quarter of Section 8, Township 15 North, Range 1 East of the Second Principal Meridian, Washington Township, Hendricks County, Indiana and brass plug found, per county ties, marking the Northwest corner of the Northwest Quarter of Section 8; thence running along the North line of said quarter bearing North 90 degrees 00 minutes 00 seconds East 545.00 feet to a mag nail set and the point of beginning for this legal description; thence continuing to run along the North line of the Northwest Quarter of said section bearing North 90 degrees 00 minutes 00 seconds East 101.60 feet to a mag nail set; thence South parallel with the West line of the Northwest Quarter bearing South 01 degrees 05 minutes 25 seconds West 216.00 feet to a 5/8 inch rebar set; thence South 90 degrees 00 minutes 00 seconds West 101.60 feet to a 5/8 inch rebar set; thence North 01 degrees 05 minutes 25 seconds East 216.00 feet to the point of beginning; containing 0.50 acre, more or less.

Exhibit B

Rezone/Avon Crest Apartments, LLC

