

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 24-47

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED
REZONING OF APPROXIMATELY 90.47 ACRES LOCATED AT 3111 S. STATE
ROAD 135)**

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter, "Commission") conducted a public hearing in accordance with Ind. Code § 36-7-4-603 and Ind. Code § 36-7-4-1505 on the petition for the rezoning of approximately 90.47 acres of land located on the east side of State Road 135, inclusive of the address 3111 South State Road 135, within the corporate boundaries of the City of Greenwood, from the current zoning of CL- Commercial- Large Format Zone and AG – Agricultural District to Planned Unit Development District for development of a commercial mixed-used, multi-family, and single-family detached and attached subdivision to be known as the Center Grove Park Planned Unit Development District ("Center Grove Park PUD");

WHEREAS, the Commission, after paying reasonable regard to: 1) the Greenwood Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, made a **favorable recommendation** (8-0), with the following commitments:

1. Street improvements shall be completed in collaboration with the City Engineer.
2. Trails shall be incorporated in the Common Area.
3. Site design elements such as sidewalk connectivity, street crossings, elements of street design (turn lanes, traffic calming), lighting, and landscaping shall be reviewed and worked through with the Master Plan submittal.
4. Petitioner and Staff will work through/agree upon design as well as traffic calming measures for Public Streets.
5. Planning Staff shall review all ground signs prior to placement;

regarding said changes in the zone map and amendments to the text of the Unified Development Ordinance ("UDO") and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council is subject to the provisions of Ind. Code §§ 36-7-4-1507 and 1512 concerning any action on the petition;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter and has taken it under consideration in accordance with and subject to Ind. Code § 36-7-4-1505 and Ind. Code § 36-7-4-608,

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission, and paid reasonable regard to items 1 through 5 referenced in the second "Whereas" clause, above.

WHEREAS, the Common Council requested, and the Owner agreed to, the following additional commitments regarding use and development of said real estate:

1. Installation of one (1) Flock Safety Camera in the District.
2. Employ one (1) Greenwood Police Officer as a courtesy officer for the District.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. Change in Official Zoning Map. The Official Zoning Map referred to in Ordinance No. 20-29, Section 2, is amended to rezone and designate the real estate described and shown below, from CL-Commercial-Large Format Zone and AG – Agricultural District to PUD – Planned Unit Development to be known as the "Center Grove Park PUD District":

LAND DESCRIPTION – SINGLE-FAMILY RESIDENTIAL PORTION

PART OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA BEING THAT TRACT OF LAND SHOWN ON THE PLAT OF A BOUNDARY SURVEY OF SAID TRACT CERTIFIED ON JULY 22, 2024 BY JOSHUA DAVID WERNER, INDIANA PROFESSIONAL SURVEYOR NUMBER LS21200020 UNDER WEIHE ENGINEERS, INC. PROJECT NUMBER W240299 (ALL REFERENCE TO MONUMENTS AND COURSES HEREIN ARE AS SHOWN ON SAID PLAT OF SURVEY), MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER SOUTH 00 DEGREES 11 MINUTES 43 SECONDS EAST 240.73 FEET TO THE NORTH LINE OF THE LAND OF BOWMAN FAMILY INVESTMENT PROPERTY, LLC AS DESCRIBED IN INSTRUMENT NUMBERS 2022-002492 AND 2023-007065 (ALL DOCUMENT REFERENCES ARE AS FOUND IN THE OFFICE OF THE RECORDER OF SAID COUNTY); THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 45 MINUTES 11 SECONDS EAST 724.14 FEET TO A FIVE-EIGHTHS-INCH DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED "WEIHE ENGR. 0012" (HEREINAFTER REFERRED TO AS "WEIHE REBAR") AT THE POINT OF BEGINNING; THENCE LEAVING SAID NORTH LINE NORTH 00 DEGREES 00 MINUTES 01 SECOND WEST 113.37 FEET TO A WEIHE REBAR; THENCE NORTH 18 DEGREES 02 MINUTES 35 SECONDS EAST 138.65 FEET TO A WEIHE REBAR; THENCE NORTH 00 DEGREES 00 MINUTES 01 SECOND WEST 170.77 FEET TO A WEIHE REBAR; THENCE NORTH 89 DEGREES 59 MINUTES 59 SECONDS EAST 266.98 FEET TO A WEIHE REBAR; THENCE NORTH NORTH 00 DEGREES 00 MINUTES 01 SECOND WEST 861.54 FEET TO A WEIHE REBAR ON THE NORTH LINE OF ELLIS PARK II, LLC AS DESCRIBED IN INSTRUMENT NUMBER 2023-01053; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 48 MINUTES 57 SECONDS EAST 1671.72 FEET TO A REBAR ON THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE ALONG THE EAST LINE OF SAID NORTHWEST QUARTER AND ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER SOUTH 00 DEGREES 14 MINUTES 00 SECONDS EAST 1280.72 FEET TO A WEIHE REBAR ON THE NORTH LINE OF SAID LAND OF BOWMAN FAMILY INVESTMENT PROPERTY, LLC; THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 45 MINUTES 11 SECONDS WEST 1986.86 FEET TO THE POINT OF BEGINNING, CONTAINING 51.92 ACRES, MORE OR LESS.

LAND DESCRIPTION - ADDITIONAL LAND FOR DETENTION 1

PART OF THE SOUTHWEST QUARTER OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 3 EAST, OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, BEING THAT TRACT OF LAND SHOWN ON A SURVEY CERTIFIED ON _____ BY JOSHUA DAVID WERNER, PROFESSIONAL SURVEYOR NUMBER LS21200020 UNDER WEIHE ENGINEERS INC. PROJECT NUMBER W240299 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE ALONG THE EAST LINE OF SAID QUARTER NORTH 00 DEGREES 14 MINUTES 00 SECONDS WEST (BEARINGS BASED ON THE STATE PLANE COORDINATE SYSTEM - INDIANA EAST ZONE (NAD83(2011))) 2389.50 FEET TO THE CENTER OF HONEY CREEK AND THE POINT OF BEGINNING; THENCE ALONG THE CENTER OF SAID CREEK THE FOLLOWING FIVE (5) COURSES: 1) SOUTH 61 DEGREES 55 MINUTES 35 SECONDS WEST 94.75 FEET; 2) SOUTH 68 DEGREES 54 MINUTES 03 SECONDS WEST 315.53 FEET; 3) SOUTH 78 DEGREES 15 MINUTES 05 SECONDS WEST 520.87 FEET; 4) SOUTH 75 DEGREES 35 MINUTES 28 SECONDS WEST 762.36 FEET; 5) SOUTH 50 DEGREES 15 MINUTES 54 SECONDS WEST 165.14 FEET TO THE SOUTHERLY EXTENSION OF THE EAST LINE OF THE LAND OF BOWMAN FAMILY INVESTMENT PROPERTY, LLC AS DESCRIBED IN INSTRUMENT NUMBER 2022-002492 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE ALONG SAID EAST LINE AND THE SOUTHERLY EXTENSION THEREOF NORTH 00 DEGREES 11 MINUTES 43 SECONDS WEST PASSING THROUGH A FIVE-EIGHTHS INCH DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED "WEIHE ENGR. 0012" (HEREINAFTER REFERRED TO A "REBAR") AT 50.00 FEET, A TOTAL DISTANCE OF 611.16 FEET TO THE NORTH LINE OF THE LAND OF BOWMAN FAMILY INVESTMENT PROPERTY, LLC AS DESCRIBED IN INSTRUMENT NUMBER 2023-007065 IN SAID RECORDER'S OFFICE; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 45 MINUTES 11 SECONDS EAST 1755.22 FEET TO A REBAR ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE ALONG SAID WEST LINE SOUTH 00 DEGREES 14 MINUTES 00 SECONDS EAST 44.09 FEET TO THE POINT OF BEGINNING, CONTAINING 12.71 ACRES, MORE OR LESS.

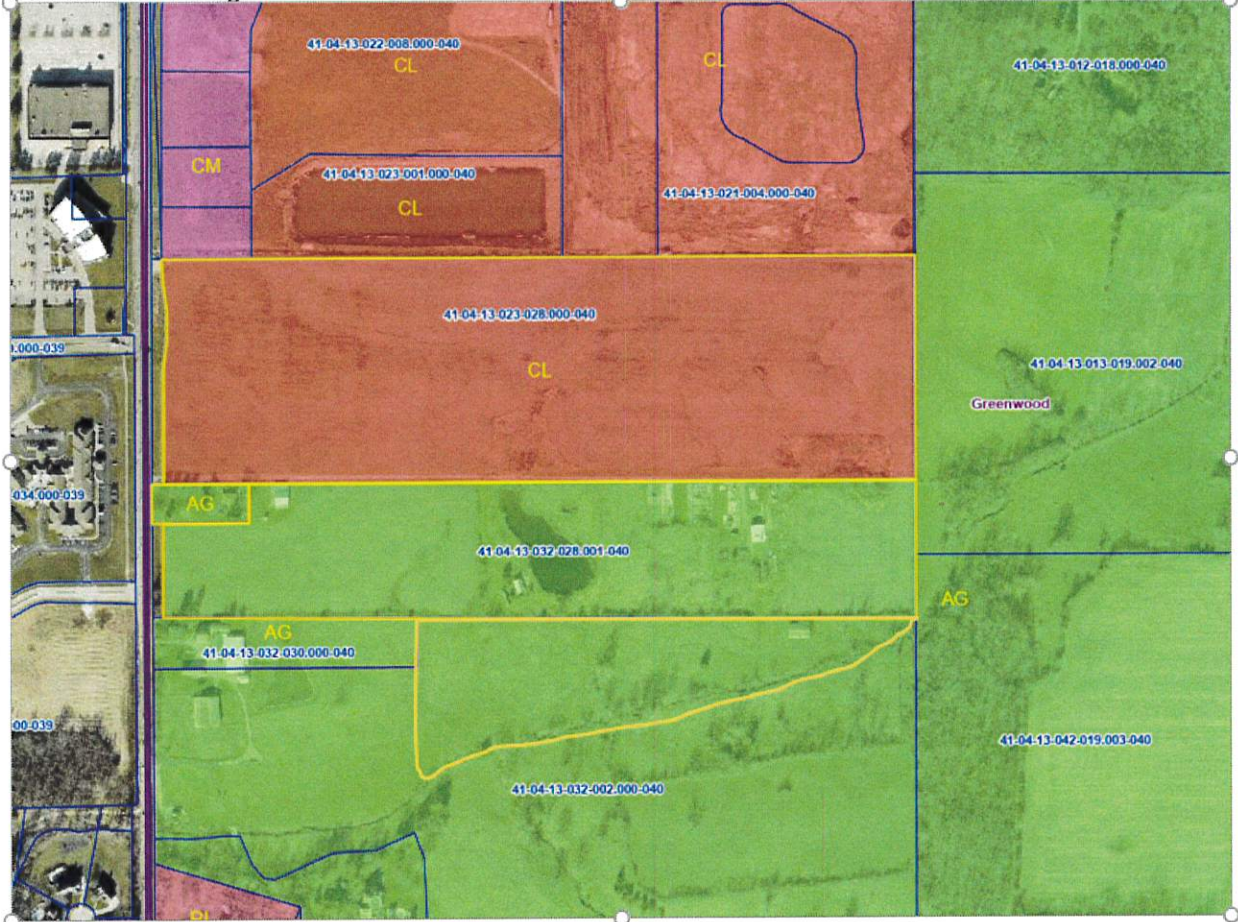
LAND DESCRIPTION – COMMERCIAL/MIXED USE/MULTI-FAMILY RESIDENTIAL PORTION

PART OF SECTION 13, TOWNSHIP 13 NORTH, RANGE 3 EAST OF THE SECOND PRINCIPAL MERIDIAN IN WHITE RIVER TOWNSHIP, JOHNSON COUNTY, INDIANA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 13, MARKED BY A MAG NAIL; THENCE ALONG THE WEST LINE THEREOF NORTH 00 DEGREES 11 MINUTES 43 SECONDS WEST 98.45 FEET TO THE SOUTHWEST CORNER OF THE ELLIS PARK, LLC PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2022-011952 (ALL DOCUMENT REFERENCES ARE AS FOUND IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA) AND THE POINT OF BEGINNING; THENCE ALONG THE PERIMETER OF SAID PARCEL THE FOLLOWING TWO (2) COURSES: 1) NORTH 00 DEGREES 11 MINUTES 43 SECONDS WEST 138.06; 2) SOUTH 89 DEGREES 41 MINUTES 08 SECONDS EAST 67.22 FEET TO THE EAST LINE OF STATE ROAD 135 AS DESCRIBED IN INSTRUMENT NUMBER 2009-024821; THENCE ALONG SAID EAST LINE THE FOLLOWING FIVE (5) COURSES: 1) NORTH 00 DEGREES 07 MINUTES 37 SECONDS WEST 415.68 FEET; 2) NORTH 08 DEGREES 24 MINUTES 14 SECONDS EAST 101.12 FEET; 3) NORTH 00 DEGREES 07 MINUTES 37 SECONDS WEST 100.00 FEET; 4) NORTH 08 DEGREES 39 MINUTES 28 SECONDS WEST 101.12 FEET; 5) NORTH 00 DEGREES 07 MINUTES 37 SECONDS WEST 84.96 FEET TO THE NORTH LINE OF THE ELLIS PARK II, LLC PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2023-01053; THENCE ALONG SAID NORTH LINE SOUTH 89 DEGREES 48 MINUTES 57 SECONDS EAST 970.24 FEET TO A FIVE-EIGHTHS INCH DIAMETER REBAR WITH A PLASTIC CAP STAMPED "WEIHE ENGR. 0012" (HEREAFTER REFERRED AS "WEIHE REBAR"); THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECOND EAST 861.54 FEET TO A WEIHE REBAR; THENCE SOUTH 89 DEGREES 59 MINUTES 59 SECONDS WEST 266.98 FEET TO A WEIHE REBAR; THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECOND EAST 170.77 FEET TO A WEIHE REBAR; THENCE SOUTH 18 DEGREES 02 MINUTES 35 SECONDS WEST 138.65 FEET TO A WEIHE REBAR; THENCE SOUTH 00 DEGREES 00 MINUTES 01 SECOND EAST 113.37 FEET TO THE NORTH LINE OF THE LAND OF THE BOWMAN

FAMILY INVESTMENT PROPERTY, LLC AS DESCRIBED IN INSTRUMENT NUMBER 2022-002492; THENCE ALONG SAID NORTH LINE NORTH 89 DEGREES 45 MINUTES 11 SECONDS WEST 657.49 FEET TO THE WEST LINE OF STATE ROAD 135 AS DESCRIBED IN INSTRUMENT NUMBER 2009-024821; THENCE ALONG SAID WEST LINE NORTH 00 DEGREES 07 MINUTES 37 SECONDS WEST 339.10 FEET TO THE SOUTH LINE OF THE ELLIS PARK, LLC PARCEL AS DESCRIBED IN INSTRUMENT NUMBER 2022-011952; THENCE ALONG SAID SOUTH LINE NORTH 89 DEGREES 41 MINUTES 08 SECONDS WEST 67.05 FEET TO THE POINT OF BEGINNING CONTAINING 25.84 ACRES, MORE OR LESS.

Greenwood Zoning



Section 2. Applicability. The City of Greenwood Unified Development Ordinance (“UDO”) is amended to establish the Center Grove Park PUD District as set forth in Exhibit A, attached hereto and incorporated herein by reference, including its exhibits (hereafter the “PUD Ordinance”). Development and use of the Real Estate shall be governed by the provisions of (i) the PUD Ordinance, (ii) the provisions of the UDO, as amended and applicable to the referenced zoning district, except as modified, revised, supplemented or expressly made inapplicable by this PUD Ordinance, and (iii) in accordance with the commitments set forth in the Second “Whereas” clause and Sixth “Whereas” clause above. To the extent of any conflict between this PUD Ordinance and any other provision of the UDO, the terms of this PUD Ordinance shall control.

Section 3. The Plan Commission is hereby authorized to make the above described changes to the official zoning map of the City of Greenwood and amendments of the City of Greenwood UDO.

Section 4. Owner/Developer shall record the PUD Ordinance with the Recorder of Johnson County, Indiana, within sixty (60) days following its adoption, and shall deliver a copy of the recorded ordinance to the Department of Community Development Services, Planning Division.

Section 5. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 20-29, as amended.

Section 6. The Greenwood Common Council states that two (2) copies of the “Center Grove Park PUD District” are on file and shall be kept on file in the office of the Clerk of the City of Greenwood, Indiana for public inspection.

Section 7. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law, and after the above-described commitments are made

by the owner and recorded in the chain of title of the above described real estate in the office of the Recorder of Johnson County, Indiana.

Passed by the Common Council of the City of Greenwood, Indiana, this 16th day of December, 2024.

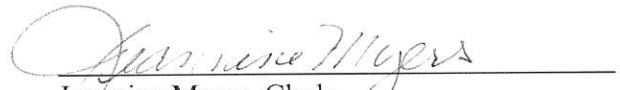

Michael Campbell, President
Greenwood Common Council

ATTEST:

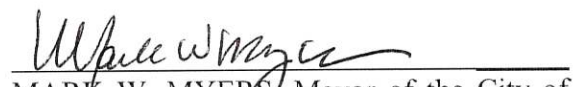
I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Greenwood, Indiana, at a meeting thereof held on the 16th day of December, _____, by the following vote:

	AYE:	NAY:
Erin Betron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. David Hopper	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Teri Manship	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Steve Moan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 16th day of December, 2024, is presented by me this 17th day of December, 2024, at 8:00 o'clock A.m., to the Mayor of the City of Greenwood, Indiana.


Jeannine Myers, Clerk

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 16th day of December, 2024, is approved by me this 17th day of December, 2024, at 9:30 o'clock A.m.


MARK W. MYERS, Mayor of the City of Greenwood, Indiana