

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 17-63

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY
REFERENCE IN ZONING ORDINANCE NO. 82-1 (Proposed Rezoning of 6.0 Acres
Located on the North Side of Greenwood Springs Boulevard, the West Side of Greenwood
Springs Drive, Approximately 965 Feet East of the Intersection of Greenwood Springs
Boulevard and Emerson Avenue)**

WHEREAS, the Greenwood Advisory Plan Commission (“Commission”) conducted a public hearing on the petition for the rezoning of 6.0 acres located on the north side of Greenwood Springs Boulevard and the west side of Greenwood Springs Drive approximately 965 feet east of the intersection of Greenwood Springs Boulevard and Emerson Avenue within the City of Greenwood, from the current zoning of I-1 -Industrial light use to R-4 -Multi-family Residential use to provide for the construction of an upscale, luxury apartment development;

WHEREAS, the Commission requested, and the Owner agreed to, the following commitments regarding the development of said real estate:

1. Should the project proposal described in the November 13, 2017 hearing of the Plan Commission fail to be constructed on the site, the zoning shall revert to the original I-1 zoning classification.
2. The development of the property shall be consistent with the PowerPoint presentation provided at the November 13, 2017 hearing of the Plan Commission, and identified as Petitioner’s Exhibit 1 in the Plan Commission file PC2017-055.

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)** regarding said change in the zone map and certified the same to the Greenwood Common Council;

WHEREAS, the Greenwood Common Council has given notice of its intention to consider this matter; and

WHEREAS, the Greenwood Common Council has considered the recommendation of the Commission and paid reasonable regard to items 1 through 5 referred to above.

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

Section 1. The Official Zoning Map referred to in Article 1, Section 1, of Ordinance No. 82-1, as amended, is amended to rezone the real estate described in Exhibit A and shown in Exhibit B, attached hereto and incorporated herein by reference, from I-1- Industrial light use to R-4-Multi-family Residential use.

Section 2. The real estate shall be developed and used in conformance with the commitments set forth in the second “Whereas clause” above.

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

Section 4. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 82-1, as amended, other than the Official Zoning Map referred to in Article 1, Section 1, of said Ordinance.

Section 5. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

Passed by the Common Council of the City of Greenwood, Indiana, this 20th day of November, 2017.


Michael Campbell, President
Greenwood Common Council

<u>FOR:</u>		<u>AGAINST:</u>
<u>Linda S. Gibson</u>	Linda S. Gibson	_____
<u>EJH</u>	Ezra J. Hill	_____
<u>Bruce Armstrong</u>	Bruce Armstrong	_____
<u>Ronald Bates</u>	Ronald Bates	_____
<u>J. David Hopper</u>	J. David Hopper	_____
<u>David Lekse</u>	David Lekse	_____
<u>Michael Campbell</u>	Michael Campbell	_____
<u>Absent</u>	Brent Corey	_____
<u>Charles Landon</u>	Charles Landon	_____

Jeannine Myers
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 20th day of November, 2017, is presented by me this 21st day of November, 2017, at 9:30 O'Clock A.M., to the Mayor of the City of Greenwood, Indiana.

Jeannine Myers
Jeannine Myers, Clerk

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 20th day of November, 2017, is signed and approved by me this 21st day of November, 2017, at 10:00 O'Clock A.M.

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

LEGAL DESCRIPTION

A tract of land being a part of the Northwest Quarter of Section 27, Township 14 North, Range 4 East of the Second Principal Meridian, Pleasant Township, Johnson County, Indiana, said tract of land also being a part of Greenwood Springs Subdivision, Block 2, as per plat thereof recorded as Instrument Number 2007-18416 in the Office of the Recorder of Johnson County, Indiana, more particularly described as follows:

BEGINNING at the Southwest corner of said Greenwood Springs, Block 2; thence North 01 degree 02 minutes 32 seconds West on and along the West line of said Greenwood Springs, Block 2 a distance of 318.97 feet; thence North 00 degrees 24 minutes 58 seconds East along said West line a distance of 365.54 feet; thence North 88 degrees 57 minutes 28 seconds East a distance of 385.62 feet to a point on the West right-of-way line of Greenwood Springs Drive; thence South 00 degrees 46 minutes 38 seconds East on and along said West right-of-way line a distance of 515.18 feet to the point of curvature of a curve to the right having a radius of 170.00 feet; thence on and along the arc of said curve and along said West right-of-way line a distance of 266.25 feet, said arc being subtended by a chord having a bearing of South 44 degrees 05 minutes 25 seconds West and a chord distance of 239.86 feet to the point of tangency of said curve, said point also being on the North right-of-way line of Greenwood Springs Boulevard; thence South 88 degrees 57 minutes 28 seconds West on and along said North right-of-way line a distance of 222.54 feet to the Point of Beginning containing 6.000 acres, more or less.

Subject to all legal rights-of-way, easements and restrictions of record.



