

GREENWOOD COMMON COUNCIL

Failed

ORDINANCE NO. 22-38

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED
REZONING OF APPROXIMATELY 1.367 ACRES LOCATED AT THE NORTHWEST
CORNER OF U.S. 31 AND W. MAIN STREET (Alpha Investment Properties, LLC
Property))

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter, "Commission") conducted a public hearing on the petition for the rezoning of approximately 1.367 acres of land located at the northwest corner of U.S. Highway 31 and W. Main Street within the corporate boundaries of the City of Greenwood, from the current zoning of CS – Commercial Small Format Zone to CM – Commercial Medium Format Zone, to allow for a wider variety of uses for the property;

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 an **unfavorable recommendation** (8-1) regarding said changes 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;

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 Ordinance No. 20-29, Section 2, is amended to rezone the real estate described and shown below, from CS- Commercial Small Format Zone to CM – Commercial Medium Format Zone:

PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 1168 FEET EAST OF THE WEST LINE AND 50 FEET NORTH OF THE SOUTH LINE OF SAID QUARTER SECTION, SAID POINT BEGINNING THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF MAIN STREET IN THE CITY OF GREENWOOD AND WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD 31; RUNNING THENCE NORTHWESTERLY ALONG SAID LINE OF SAID STATE ROAD 31, SAID LINE BEING 80 FEET FROM ITS CENTER LINE, 200 FEET; THENCE WEST DEFLECTING TO THE LEFT 77 DEGREES 40 MINUTES 261.20 FEET; THENCE SOUTHEASTERLY DEFLECTING TO THE LEFT 107 DEGREES 08 MINUTES 293.95 FEET TO THE NORTH RIGHT-OF-WAY LINE OF MAIN STREET; THENCE IN AN EASTERLY DIRECTION DEFLECTING TO THE LEFT 84 DEGREES 30 MINUTES AND ALONG SAID RIGHT-OF-WAY LINE 33.20 FEET; THENCE EAST DEFLECTING TO THE RIGHT 11 DEGREES 28 MINUTES AND ALONG THE NORTH RIGHT-OF-WAY LINE OF MAIN STREET, 150 FEET TO THE POINT OF BEGINNING, CONTAINING IN ALL 1.522 ACRES; MORE OR LESS.

EXCEPTING THERERFROM: A PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 14 NORTH, RANGE 4 EAST, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 51 MINUTES 40 SECOND EAST 1167.68 FEET (1168 FEET BY DEED RECORD 230 PAGE 417) ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 01 DEGREE 08 MINUTES 20 SECONDS WEST 50.00 FEET TO THE NORTHWESTERN BOUNDARY OF THE INTERSECTION OF MAIN STREET AND U.S.R. 31; THENCE SOUTH 88 DEGREES 51 MINUTES 40 SECONDS WEST 97.05 FEET ALONG THE NORTH BOUNDARY OF SAID MAIN STREET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING SOUTH 88 DEGREES 51 MINUTES 40 SECONDS WEST 52.95 FEET ALONG THE NORTH BOUNDARY OF SAID MAIN STREET; THENCE SOUTH 75 DEGREES 21 MINUTES 56 SECONDS WEST 32.83 FEET ALONG SAID NORTH BOUNDARY TO THE WESTERN LINE OF THE OWNERS' LAND; THENCE NORTH 18 DEGREES 09 MINUTES 07 SECONDS WEST 91.67 FEET ALONG SAID WESTERN LINE,;

THENCE NORTH 71 DEGREES 03 MINUTES 12 SECONDS EAST 49.05 FEET; THENCE SOUTH 35 DEGREES 31 MINUTES 09 SECONDS EAST 115.11 FEET OT THE POINT OF BEGINNING AND CONTAINING 0.145 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM: A PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 14 NORTH, RANGE 4 EAST, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 51 MINUTES 40 SECONDS EAST 1167.68 FEET (1168 FEET BY DEED RECORD 230 PAGE 417) ALONG THE SOUTH LINE OF SAID QUARTER SECTION; THENCE NORTH 01 DEGREE 08 MINUTES 20 SECONDS WEST 50.00 FEET TO THE NORTHWESTERN BOUNDARY OF THE INTERSECTION OF MAIN STREET AND U.S.R. 31; THENCE NORTH 22 DEGREES 24 MINUTES 16 SECONDS EAST 84.07 FEET (85.80 FEET BY DEED RECORD 230 PAGE 417) ALONG THE BOUNDARY OF THE INTERSECTION OF SAID MAIN STREET AND SAID U.S.R. 31 TO THE WESTERN BOUNDARY OF SAID U.S.R. 31; THENCE NORTHERLY 125.27 FEET ALONG AN ARC TO THE RIGHT AND HAVING A RADIUS OF 3899.72 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 13 DEGREES 55 MINUTES 58 SECONDS WEST AND A LENGTH OF 125.16 FEET ALONG THE WESTERN BOUNDARY OF SAID U.S.R. 31 TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 68 DEGREES 31 MINUTES 18 SECONDS WEST 36.33 FEET; THENCE NORTH 12 DEGREES 24 MINUTES 52 SECONDS WEST 41.15 FEET; THENCE NORTH 51 DEGREES 40 MINUTES 10 SECONDS EAST 33.47 FEET TO THE INTERSECTION OF THE NORTH LINE OF THE OWNERS' LAND AND THE WESTERN BOUNDARY OF SAID U.S.R.31; THENCE ALONG SAID BOUNDARY SOUTHERLY 76.04 FEET ALONG AN ARC TO THE LEFT AND HAVING A RADIUS OF 3899.72 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF SOUTH 12 DEGREES 27 MINUTES 21 SECONDS EAST AND A LENGTH OF 76.04 FEET ALONG SAID WESTERN BOUNDARY TO THE POINT OF BEGINNING AND CONTAINING 0.040 ACRES, MORE OR LESS.



Section 2. The Greenwood Plan Commission is hereby authorized to make the above described changes to the official zoning map of the City of Greenwood.

Section 3. This Ordinance shall have no effect as to changing any other provision of Ordinance No. 20-29, as amended, other than the Official Zoning Map referred to in Section 2 of said Ordinance.

Section 4. 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 _____ day of _____, 2022.

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 _____ day of _____, _____, by the following vote:

	AYE:	NAY:
Linda S. Gibson	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ezra J. Hill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Williams	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ronald Bates	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. David Hopper	<input type="checkbox"/>	<input checked="" type="checkbox"/>
David Lekse	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Campbell	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Bradley Pendleton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Andrew K. Foster	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the _____ day of _____, 2022, is presented by me this _____ day of _____, 2022, at _____ o'clock _____.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 _____ day of _____, 2022, is approved by me this _____ day of _____, 2022, at _____ o'clock _____.m.

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