

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 23-08

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY  
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED  
REZONING OF APPROXIMATELY 77.548 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 77.548 acres of land located at 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 mixed use commercial and residential 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** (7-0), with the following conditions:

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

# 6. Amend -

regarding said changes in the zone map and amendments to 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.

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":

Part of the Northwest Quarter and part of the Southwest Quarter of Section 13, Township 13 North, Range 3 East of the Second Principal Meridian, White River Township, in Johnson County, Indiana, described as follows:

Commencing at the Southwest corner of said Northwest Quarter; thence North 00 degrees 11 minutes 30 seconds West (assumed bearing) 98.45 feet on the West line of said quarter to the Point of Beginning of this description; thence North 00 degrees 11 minutes 30 seconds West 138.06 feet along said West line; thence South 89 degrees 56 minutes 49 seconds East 67.07 feet to the easterly



right of way line of State Road 135 recorded in Instrument No.: 2009-024821 in the Office of the Recorder of Johnson County, Indiana; thence along the easterly right of way of said State Road 135 by the next five (5) courses: 1) North 00 degrees 07 minutes 23 seconds West 424.45 feet; 2) North 08 degrees 24 minutes 29 seconds East 101.12 feet; 3) North 00 degrees 07 minutes 22 seconds West 100.00 feet; 4) North 08 degrees 39 minutes 13 seconds West 101.12 feet; 5) North 00 degrees 07 minutes 21 seconds West 78.08 feet to the south line of the Replat of Swartz Crossing Commercial Subdivision, recorded as Inst. No.: 2019-009111, Plat Cabinet E, Page 378 in said Recorder's Office; thence South 89 degrees 48 minutes 15 seconds East 2,641.90 feet along said south line to the east line of said quarter section; thence South 00 degrees 14 minutes 03 seconds East 1,271.59 feet along said east line to the south line of the George E. Ellis Excavating Engineer, Inc. property described in Instrument Number 2015-029725 recorded in said Recorder's Office; thence North 89 degrees 58 minutes 52 seconds West 2,644.39 feet along said south line to said easterly right of way line of State Road 135; thence North 00 degrees 07 minutes 25 seconds West 339.15 feet along said right of way line; thence North 89 degrees 56 minutes 49 seconds West 67.07 feet to the point of beginning, and containing 77.548 acres, more or less.



**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 of the Real Estate shall be governed by the provisions of (i) the PUD Ordinance, and (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. 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 Center Grove Park PUD District shall be developed in conformance with the conditions set forth in the second “Whereas” clause above.

Section 4. 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 5. 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. This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

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Passed by the Common Council of the City of Greenwood, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

FAILED

\_\_\_\_\_  
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 22nd day of February, 2023, by the following vote:

	AYE:	NAY:
Ronald Bates	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Erin Betron	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill	<input type="checkbox"/>	<input checked="" type="checkbox"/>
J. David Hopper	<input type="checkbox"/>	<input checked="" type="checkbox"/>
David Lekse	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bradley Pendleton	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Michael Williams	<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 \_\_\_\_\_, 2023, is presented by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_\_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 \_\_\_\_\_ day of \_\_\_\_\_, 2023, is approved by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023, at \_\_\_\_\_ o'clock \_\_\_\_\_m.

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