

# Staff Report – Plan Commission

<b>Docket #:</b>	PC2023-009 US 31& Worthsville Zone Map Change	<b>Hearing Date:</b>	February 27, 2023
<b>Address:</b>	East of US31, north of Pushville Rd and south of Worthsville Rd		
<b>Applicant:</b>	Unicorp National Developments		
<b>Owner:</b>	Casimir Szynal, Caro Szynal, Joan Szynal and Stephen Szynal		
<b>Staff Contact:</b>	Gabe Nelson, <a href="mailto:nelsong@greenwood.in.gov">nelsong@greenwood.in.gov</a> , 317.887.5230		

## Request:

The purpose of this request is to rezone approximately 33.23 acres from its existing zoning of Industrial Large Format (IL) to Commercial Medium Format (CM) and Commercial Large Format (CL). The northern 11.34 acres are proposed to be rezoned to CM, and the southern 21.89 acres are proposed to be rezoned to CL. A primary plat is being filed concurrently with the Zone Map change request. The Primary Plat will show the proposed division and use of the approximately 70-acre parent property.

The proposed development consists of several uses. The intent is to have 4 or 5 commercial/retail users occupy the area proposed to be rezoned to CM. These users may include a fuel station with convenience store, restaurant(s), carwash or other vehicle care services. The southern portion of the property that is proposed to be rezoned to CL is intended to be a mixed-use development.

## Location:

The subject properties (parcels 41-05-09-032-001.000-030, 41-05-09-034-001.000-030, and 41-05-09-034-002.000-030) are located East of US31, north of Pushville Rd and south of Worthsville Rd.

## Existing & Surrounding Land Use:

The property is zoned (IL) Industrial Large and the land is currently undeveloped, agricultural land.

- North- IL (Industrial Large)
- South- IM (Industrial Medium) and RM (Residential Medium)
- East- IL (Industrial Large)
- West- CL (Commercial Large) and CM (Commercial Medium)

See Attached Vicinity Map – Exhibit B

## Ordinance References:

- Resolution No. 07-12, Greenwood Comprehensive Plans
- Ord. No. 20-29 UDO

## Statutory Criteria:

Plan Commission and the legislative body shall pay reasonable regard to:

- The comprehensive plan;
- Current conditions and the character of current structures and uses in each district;
- The most desirable use for which the land in each district is adapted;
- The conservation of property values throughout the jurisdiction; and
- Responsible development and growth.

## Comments and Petitioner's Findings of Fact:

The Petitioner desires to rezone 11.34 acres of these parcels to Commercial Medium (CM) and 21.89 acres to Commercial Large (CL). The proposed development consists of several uses. The intent is to have 4 or 5 commercial/retail users occupy the area proposed to be rezoned to CM. These users may include a fuel station with convenience store, restaurant(s), carwash or other vehicle care services. The southern portion of the property that is proposed to be rezoned to CL is intended to be a mixed-use development.

The following represents the petitioner's findings and the staff's comments on those findings.

### **The Comprehensive Plan**

The petitioner has indicated that this request complies with the Comprehensive Plan in the following way(s):

*"While the Future Land Use Map in the Comprehensive plan shows the entire 70-acre parcel to remain Industrial, given the US 31 frontage, we believe a Commercial zoning is appropriate. The Commercial/Mixed Use development has the ability to act as a transition from the US 31 corridor to the advance manufacturing district to the east. The eastern half of the 70-acre parcel is to remain Industrial. The use designation on the west side of US 31 is Commercial. This zone map change is consistent with Land Use Goal #2 in that the mixed-use development has the potential to create a statement as people drive northbound on US 31 into Greenwood. The proposed development is also in the Developing City designation which further suggests that these services and mixed-use development are desirable in this area."*

Staff Comment: Staff agrees with the petitioner's statement. Having commercial uses next to an industrial campus can be beneficial due to the complementary services that commercial areas provide for employees of the nearby industrial campus. This would include providing amenities that are not available on the industrial campus, which could enhance well-being.

### **Current conditions and the character of current structures and uses in each district;**

The petitioner has indicated that this request complies with the current conditions and the character of current structures and uses in each district in the following way(s):

*"At this time, the parcels to the west, north, and partially to the south are consistent with the proposed Commercial zoning. On a larger scale, the proposed uses are consistent with those along the US 31 corridor. The intent is for the proposed commercial and mixed-use development to be complimentary to the existing Endress+Hauser campus that is to the east of the subject properties. The proposed uses have the potential to make Endress+Hauser an even more attractive employer at this campus."*

Staff Comment: Staff agrees with the petitioner's statement.

### **The most desirable use for which the land in each district is adapted;**

The petitioner has indicated that:

*"The proposed use meets the intent of the Comprehensive Plan and current uses in the area are compatible with the proposed development. Creating more options for retail, dining, professional services, and dwelling yields the most desirable use for existing and future residents and nearby working professionals."*

Staff Comment: Staff agrees with the petitioner's statement.

### **The conservation of property values throughout the jurisdiction; and**

*The petitioner has indicated that this request will not negatively affect the property values throughout Greenwood because:*

*"The use of the adjacent properties would not be negatively affected because approval of this petition is consistent with the development in the area. The adjoining parcels to the north and east remain undeveloped. Landscape buffers and water detention areas are intended for the development to minimize any effects on adjacent properties. As such, this rezoning will not negatively affect surrounding property values."*

Staff Comment: Staff agrees with the petitioner's statement.

## **Responsible development and growth.**

The petitioner has indicated that this request is considered responsible development and growth because:

*“The marketplace is showing that Greenwood is a desirable place to work and live which creates a higher demand commercial services and mixed-use development. The proposed development is consistent with the surrounding area and creates complimentary uses adjacent to the well-established Endress+Hauser campus.”*

Staff Comment: Staff agrees with the petitioner's statement.

## **Recommendation:**

Staff **recommends a favorable recommendation** of this petition. The site, which has frontage on US 31, is well-positioned to become an important commercial hub in the community. The proposed zone map change would bring the site in line with similar zoning classifications on the west side of US 31. This would create a more cohesive development pattern along US 31, encouraging economic growth.

The site is also located in a Logistics Employment Area, which is intended to serve as an employment area for the local community and surrounding areas. By allowing for commercial development in the area, the proposed zone map change would help fulfill this important function, creating new jobs a supporting economic development. In conclusion Planning staff believes the proposed zone map change makes sense and would benefit the community.

Staff recommends a **favorable** recommendation with the following conditions and commitments:

### Conditions:

1. Street improvements shall be completed in collaboration with City Engineer (reduce reliance on US 31 access, connecting Worthsville to Pushville).
2. Complete traffic impact study with coordination between City Engineer and INDOT.
3. Site access points shall meet traffic study recommendations.
4. Proposed trail (per comp plan) - Trails shall be incorporated in the Common Areas.
5. Work with staff regarding site proximity to lift station.

## **Attachments:**

Exhibit A – Preliminary Site Plan

Exhibit B – Vicinity Map

Exhibit C – Existing Zoning Map

Exhibit D – Legal Description

Exhibit E – Greenwood Comprehensive Plan Proposed Land Use

Exhibit F – Greenwood Comprehensive Plan Current Land Use

Exhibit A – Preliminary Site Plan

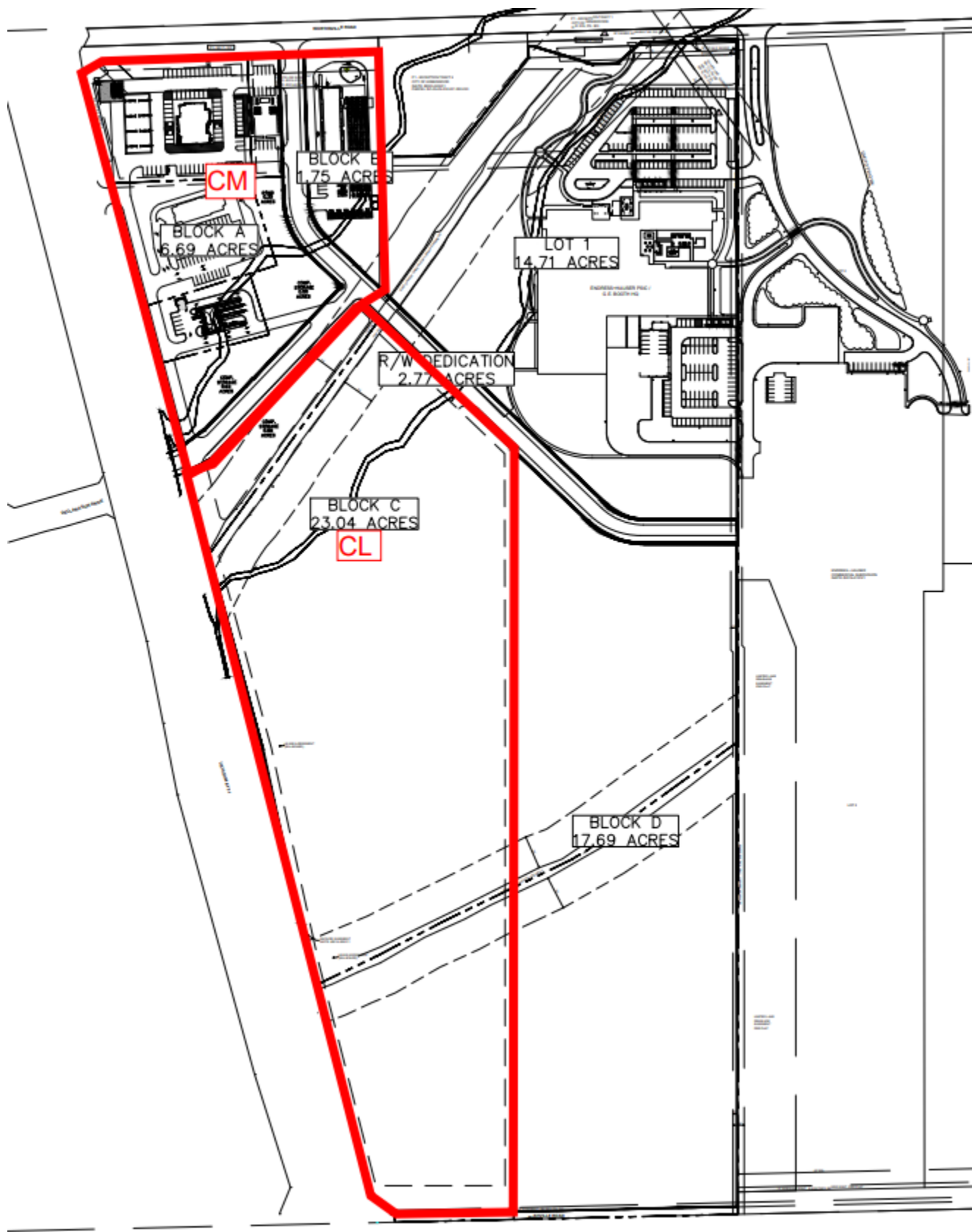


Exhibit B – Vicinity Map

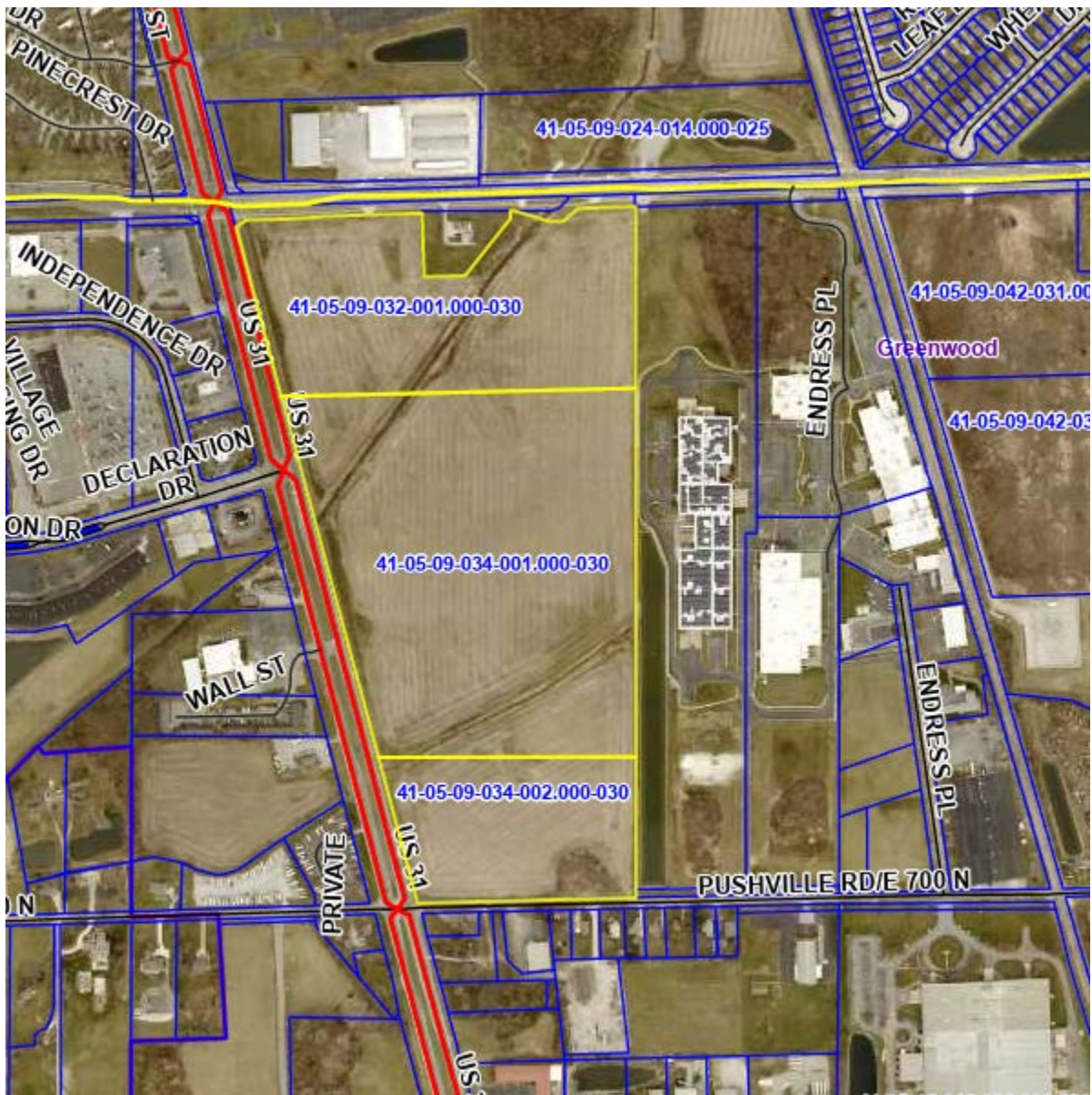
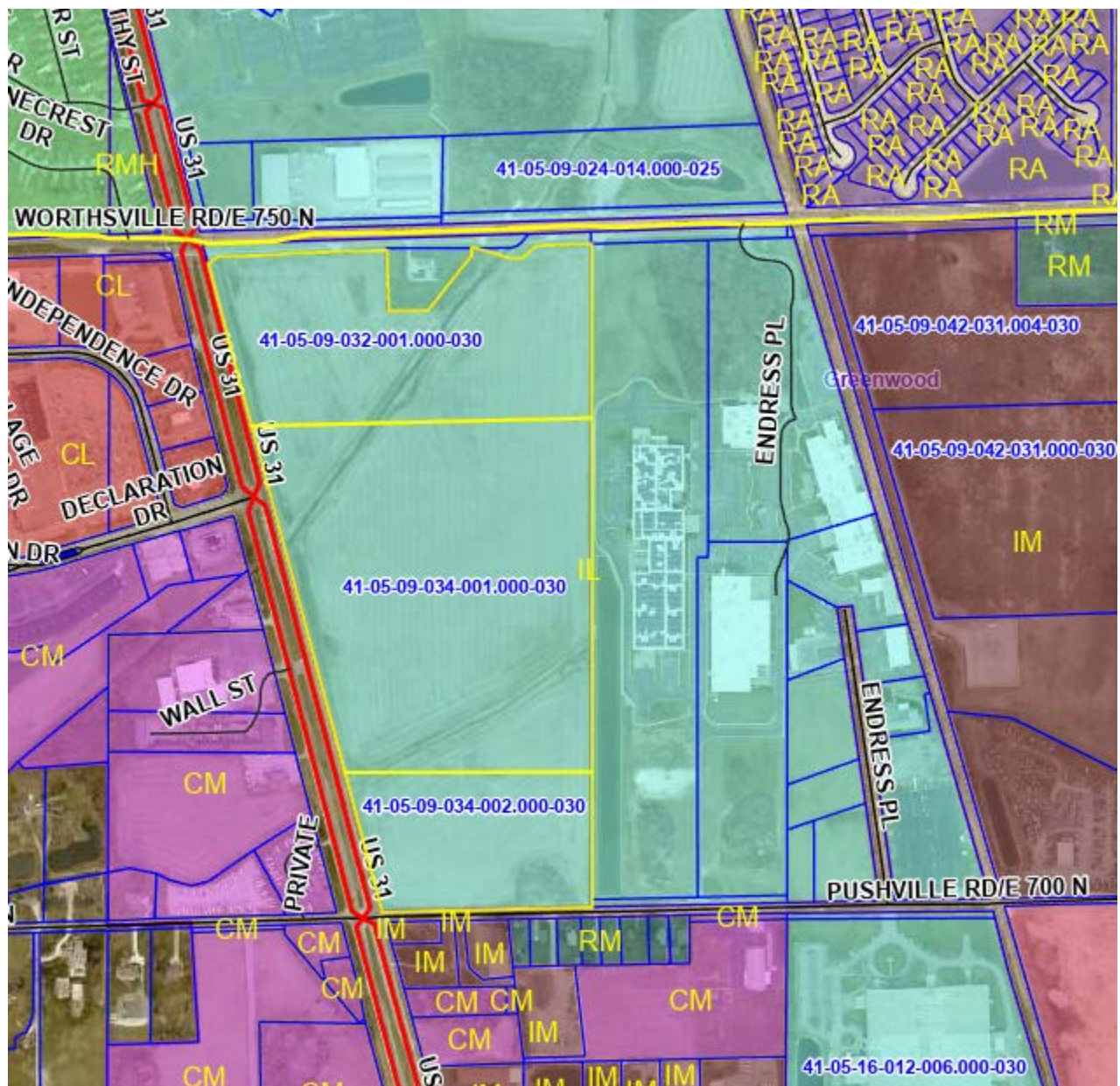




Exhibit C – Existing Zoning Map



## **Exhibit D – Legal Description**

### **Proposed Commercial Large (CL) Parcel**

That portion of the Southwest Quarter of Section 9, Township 13 North, Range 4 East of the Second Principal Meridian in the City of Greenwood, Johnson County, Indiana, described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence South 88 degrees 40 minutes 22 seconds West along the south line thereof 1282.46 feet to the POINT OF BEGINNING; thence continue South 88 degrees 40 minutes 22 seconds West along said south line 255.52 feet; thence North 01 degree 19 minutes 38 seconds West 16.50 feet to the intersection of the north right of way line of Pushville Road and the east right of way line of US Highway 31; thence the following four (4) courses along said east right of way line: 1) North 50 degrees 53 minutes 41 seconds West 72.56 feet; 2) North 14 degrees 21 minutes 21 seconds West 625.00 feet; 3) North 12 degrees 16 minutes 38 seconds West 400.32 feet; 4) thence North 15 degrees 22 minutes 50 seconds West 452.92 feet; thence North 35 degrees 56 minutes 50 seconds East 711.49 feet; thence South 45 degrees 00 minutes 00 seconds East 360.17 feet; thence South 00 degrees 00 minutes 00 seconds West 1810.99 feet to the POINT OF BEGINNING, containing 21.89 acres, more or less.

### **Proposed Commercial Medium (CM) Parcel**

That portion of the Southwest Quarter of Section 9, Township 13 North, Range 4 East of the Second Principal Meridian in the City of Greenwood, Johnson County, Indiana, described as follows:

Commencing at the southeast corner of said Southwest Quarter; thence South 88 degrees 40 minutes 22 seconds West along the south line thereof 1282.46 feet; thence North 00 degree 00 minutes 00 seconds East 1810.99 feet; thence North 45 degrees 00 minutes 00 seconds West 360.17 feet to the POINT OF BEGINNING; thence South 35 degrees 56 minutes 50 seconds West 711.49 feet the east right of way line of US Highway 31; thence North 15 degrees 22 minutes 50 seconds West along said east right of way line 202.40 feet; thence North 14 degrees 27 minutes 31 seconds West along said east right of way line 911.72 feet to the southwest corner of a 0.506-acre parcel of the City of Greenwood, Indiana, described Instrument Numbers 2010-015416 and 2010-015417 in said county records; thence the following four (4) courses along the south line of said parcel: 1) North 56 degrees 25 minutes 36 seconds East 47.48 feet; 2) North 88 degrees 12 minutes 07 seconds East 200.00 feet; 3) North 85 degrees 20 minutes 22 seconds East 100.12 feet; 4) North 88 degrees 12 minutes 07 seconds East 322.33 feet to the west line of the land of the City of Greenwood as described in Instrument Number 2003-022911 in said county records; thence South 01 degree 47 minutes 53 seconds East along said west line 238.00 feet to the southwest corner of said land; thence South 01 degree 48 minutes 24 seconds East 294.23 feet; thence South 45 degrees 00 minutes 00 seconds East 29.45 feet to the POINT OF BEGINNING, containing 11.34 acres, more or less.

## Exhibit E – Greenwood Comprehensive Plan Proposed Land Use



### Legend












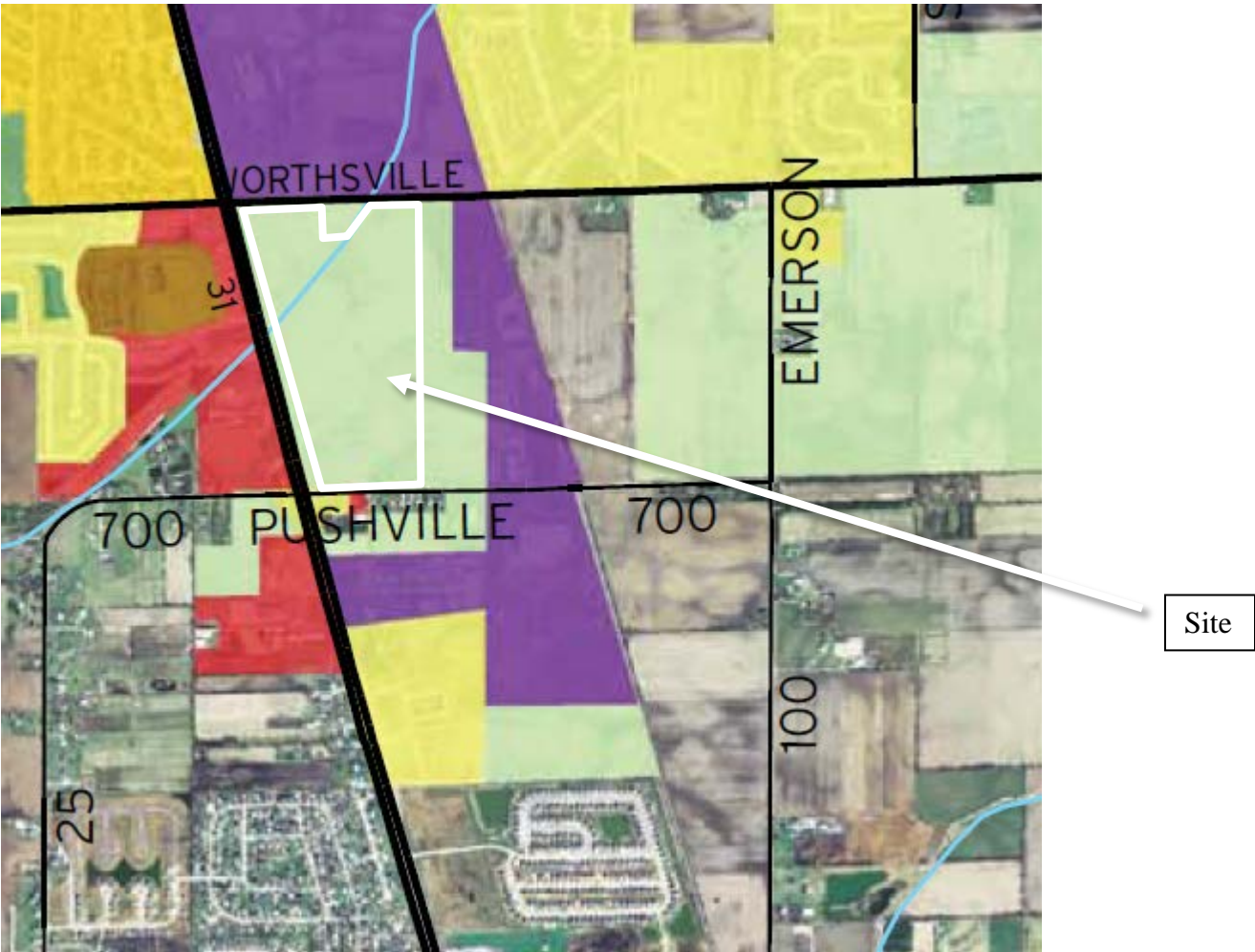
-  Planning Area Boundary
-  Current Corporate Boundary
-  Old Town
-  Single-family Residential
-  Multi-family Residential
-  Business-Office
-  Commercial
-  Mixed-Use
-  Industrial
-  Institutional
-  Public Open Space



Exhibit F – Greenwood Comprehensive Plan Current Land Use (2012)



Legend

