

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 23-10

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP ADOPTED BY
REFERENCE IN UNIFIED DEVELOPMENT ORDINANCE NO. 20-29 (PROPOSED
REZONING OF APPROXIMATELY 33.23 ACRES LOCATED AT THE SOUTHEAST
CORNER OF U.S. 31 AND WORTHSVILLE ROAD (the Szynal Properties))**

WHEREAS, the Greenwood Advisory Plan Commission (hereinafter, "Commission") conducted a public hearing on the petition for the rezoning of approximately 33.23 acres of land located at the southeast corner of U.S. 31 and Worthsville Road within the corporate boundaries of the City of Greenwood, from the current zoning of IL – Industrial Large Format Zone to CL – Commercial Large Format Zone and CM-Commercial Medium Format Zone, to allow for the development of commercial/retail and mixed used areas;

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

1. Street improvements shall be completed in collaboration with City Engineer (reduce reliance of U.S. 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.

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) 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 IL- Industrial Large Format Zone to CL – Commercial Large Format Zone and CM-Commercial Medium Format Zone:

CL-Commercial Large Format Zone:

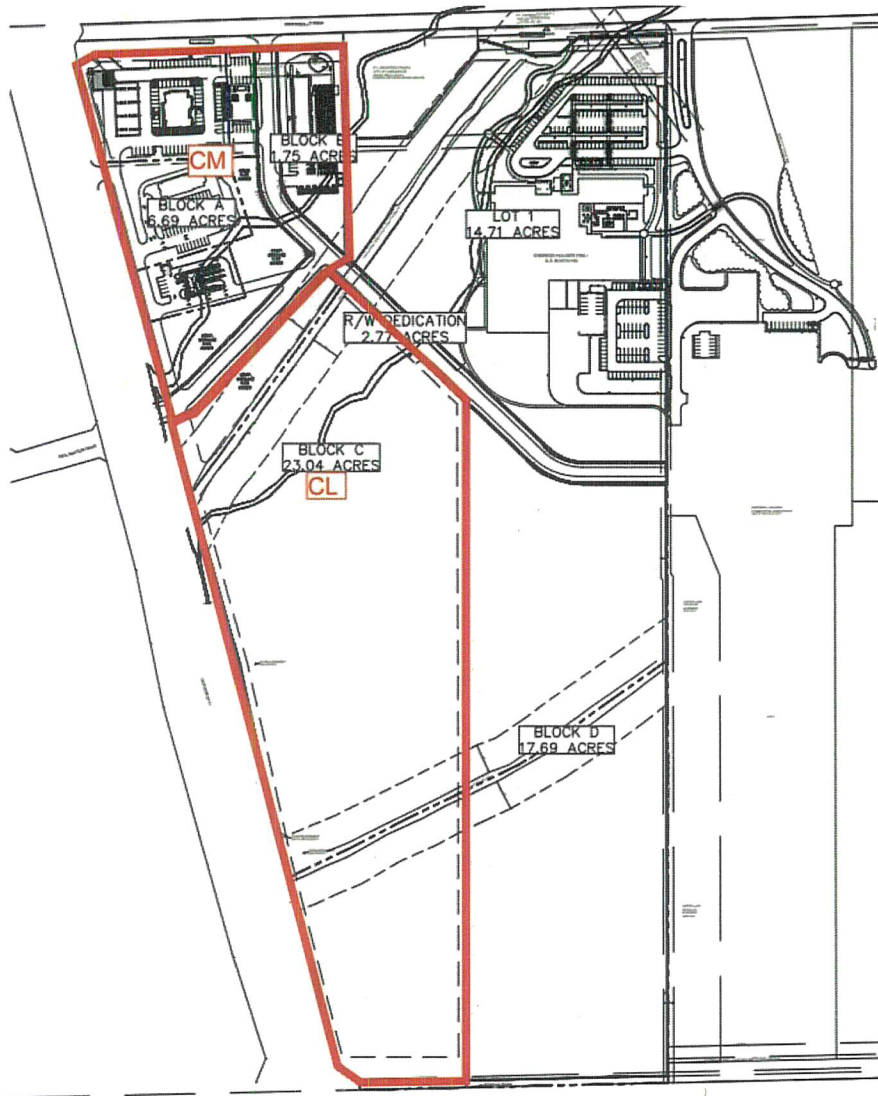
That portion of the Southwest Quarter of Section 9, Township 13 North, range 4 East of the Second Principal Meridian in the City of Greenwood, Jonson County, Indiana, described as follows:

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 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.

CM-Commercial Medium Format Zone:

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 in 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.




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 changes 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. 20-29, as amended, other than the Official Zoning Map referred to in Section 2 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, 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 6th day of March, 2023.

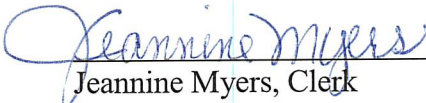

Michael Campbell, President
Greenwood Common Council

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 6th day of March, 2023, by the following vote:

	AYE:	NAY:
Linda S. Gibson	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ezra J. Hill	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ronald Bates	<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"/>
Erin Betron	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Michael Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bradley Pendleton	<input checked="" type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 15th day of March, 2023, is presented by me this 6th day of March, 2023, at 7:40 o'clock P.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 6th day of March, 2023, is approved by me this 15th day of March, 2023, at 1:00 o'clock P.m.


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