

# Staff Report – Plan Commission

<b>Docket #:</b>	PC2023-015	<b>Hearing Date:</b>	May 8, 2023
<b>Address:</b>	895 Pushville Road		
<b>Applicant:</b>	Saica Pack US LLC by Bose McKinney & Evans LLP		
<b>Owner:</b>	Mary E. Kemp Revocable Trust		
<b>Staff Contact:</b>	Gabe Nelson, <a href="mailto:nelsong@greenwood.in.gov">nelsong@greenwood.in.gov</a> , 317-887-5230		

## Request:

Applicant requests a change in zoning from RA, RM, and RL to IL to allow for the operation of a corrugated packaging manufacturing facility.

Applicant proposes to invest approximately \$100M to construct a 390,000 sq. ft. facility to house its corrugated packaging manufacturing facility, which will provide approximately 98 full-time employees upon full commercial operation with average wages of \$39.86/hour.

## Location:

The subject property (parcel 41-05-16-011-005.000-030) is a 42.7-acre property located at the southwest corner of Pushville Road and Emerson Avenue.

## Existing & Surrounding Land Use:

The Site: RA (Residential Attached Single-Family), RM (Residential Medium) and RL (Residential Large)

North: RL (Residential Large), RM (Residential Medium) and IM (Industrial Medium)

East: RL (Residential Large) and RM (Residential Medium)

South: PUD (Planned Unit Development) for the construction of a residential development for detached single family homes (Whiteland)

West: Immediately west is Louisville-Indiana rail right-of-way; beyond that is IL (Industrial Large)

See Attached Exhibit B – Vicinity Map

## Ordinance References:

- Resolution No. 07-12, Greenwood Comprehensive Plan
- 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:

Applicant requests a change in zoning from RA, RM, and RL to IL to allow for the operation of a corrugated packaging manufacturing facility. Applicant proposes to invest approximately \$100M to construct a 390,000 sq. ft. facility to house its corrugated packaging manufacturing facility, which will provide approximately 98 full-time employees upon full commercial operation with average wages of \$39.86/hour.

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):

*"The Comprehensive Plan calls for industrial use of the subject property ("Property"), which is also consistent with the zoning of the adjacent property to the west and the adjacent property to the northwest.*

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

**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):

*"The Property was rezoned for a proposed residential use that would have put much more pressure on the infrastructure and public services. Rezoning the Property to IL will not only bring the use in line with the vision of the Comprehensive Plan, but will allow development that is consistent with the uses and development of the properties to the west and northwest. Further, the Property is large enough to allow sufficient space between and screening of the proposed manufacturing facility and the residential uses to the north and east."*

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:

*"A railroad line borders the Property on the west and serves the other industrial uses on the neighboring parcels, which promotes the industrial use contemplated in the Comprehensive plan. The proposed zoning and use will allow maximum investment in the Property and create almost 100 full-time jobs, while minimizing the pressure on the roads, infrastructure, infrastructure, and public services that other development (e.g., single family residential) would create."*

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 proposed zoning and development is consistent with the Comprehensive Plan and will provide approximately \$100M in investment that should increase property values in the area. In addition, the Property is large enough to allow for sufficient screening and space between the proposed facility and the residential uses to avoid any negative impact to the value of those properties."*

Staff Comment: When IL – Industrial Large abuts RL – Residential Large a 40' buffer yard is required.

**Responsible development and growth.**

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

*"It is consistent with the Comprehensive Plan and the adjacent industrial uses along the railroad line and in the immediate area. Keeping the industrial development in the same general area isolates the more intensive uses from other less intensive uses, allowing for responsible development and growth."*

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

**Recommendation:**

Staff has no issue with the petitioner's statements of reasons. The proposed rezoning to IL – Industrial Large will allow our rail infrastructure to be utilized. Zoning an industrial area next to a railroad can be advantageous as it provides companies to transportation infrastructure, reduces negative impacts on residential areas (noise/vibrations), improves safety, and supports economic development. The site is also designated as industrial in our Comprehensive Plan's Future Land Use Map and our I-65 Land Use Plan Future Land Use Plan. Staff recognizes the proximity to residential zones and encourages collaboration between the petitioners to neighbors to create a harmonious coexistence between the two zones.

Staff recommends the following commitments:

1. A large 40' buffer yard shall be installed on the south property line.
2. In areas where a 40' buffer is required, the buffer may **not** be reduced by the installation of a mounds or a berm.
3. Mounds or berms shall be required in areas where the 40' buffer is required.
4. Mounds or berm shall be a minimum height of six (6) feet, a minimum crown width of two (2) feet, and a side slope not greater than three (3) feet horizontal to one (1) foot vertical. Mounds or berms shall be planted and covered with live vegetation. One evergreen tree must be planted on the berm for every 20 feet in length.
5. No offensive odors shall be emitted.
6. Loading areas must be located to the side or rear of the building and may not be placed between the street and the building or any front façade of the building.
7. A path along Emerson shall be installed.
8. Provide a pedestrian crossing across Emerson, connecting to the Elmwood Estates trail network.
9. The following improvements to be incorporated and addressed during plan review:
  - A. Pushville and Emerson frontages will need to be improved per City standard details.
  - B. Coordinate the entrances to the site with the City Engineer.
  - C. Coordinate with the gas pipeline company regarding petitioner's road improvements in the area of pipeline crossing on Pushville.
  - D. Prepare a Traffic Study for this development.

**Attachments:**

Exhibit A – Site Plan

Exhibit B – Vicinity Map

Exhibit C – Zoning Map

Exhibit D – Legal Description

Exhibit E – Greenwood Comprehensive Plan Proposed Land Use

Exhibit F – I-65 Land Use Plan Future Land Use Plan

Exhibit A – Site Plan

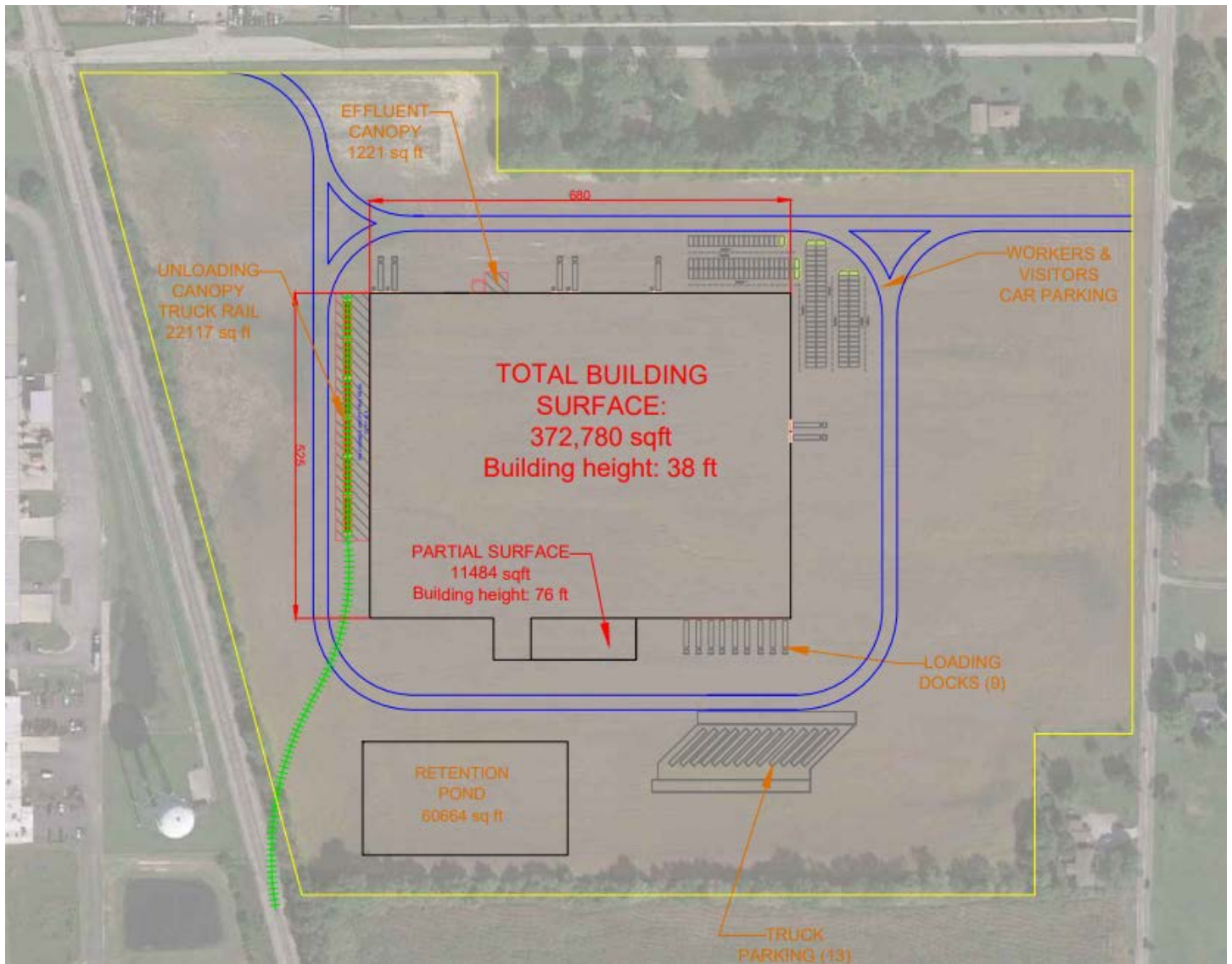
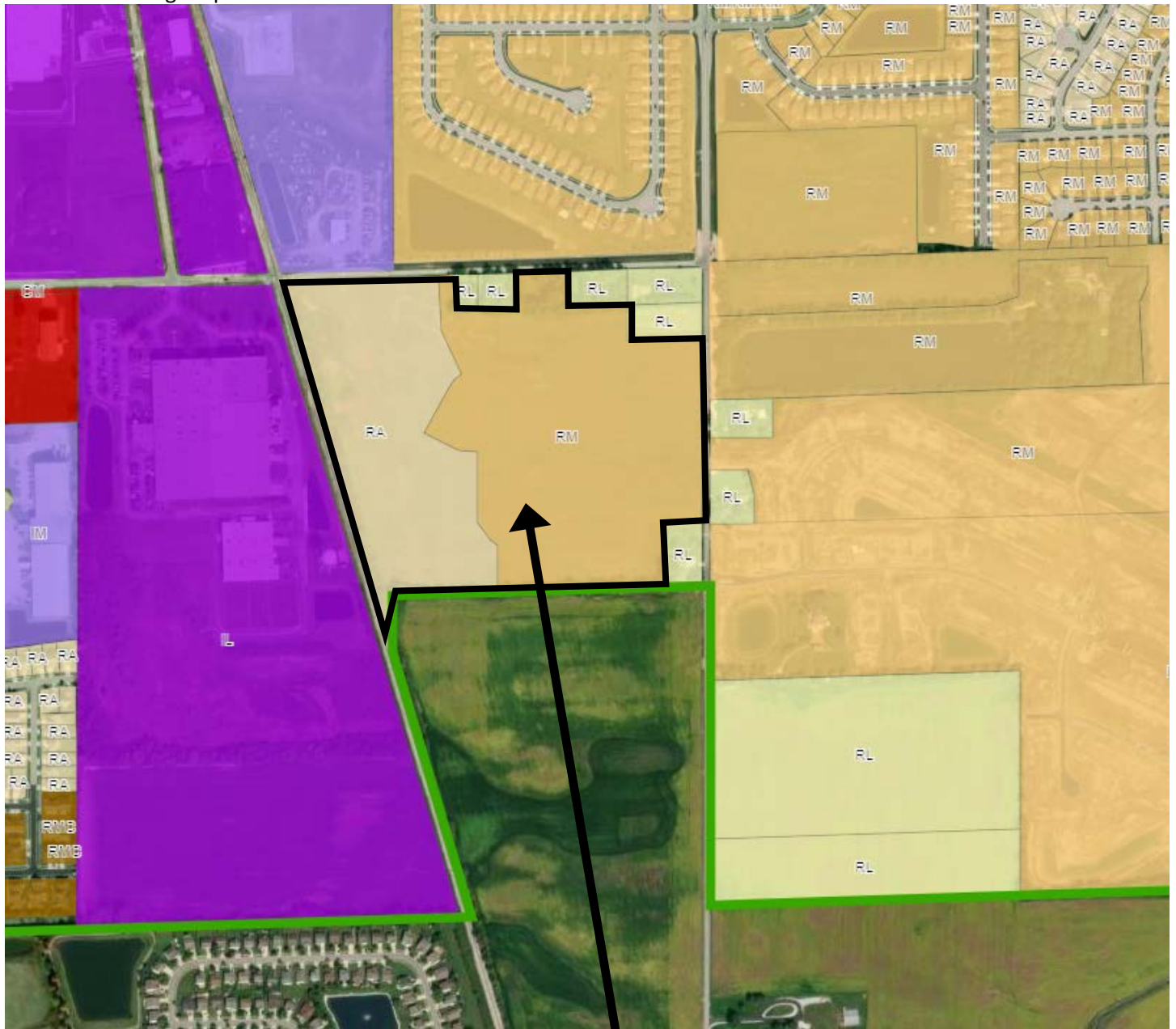


Exhibit B – Vicinity Map



Exhibit C – Zoning Map



Site Location

Exhibit D – Legal Description

LEGAL DESCRIPTION:

THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16,  
TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN,  
CONTAINING 40 ACRES, MORE OR LESS.

ALSO

ALL THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION  
16, TOWNSHIP 13 NORTH, RANGE 4 EAST, THAT LIES EAST OF THE MIDDLE LINE  
OF THE PITTSBURGH, CINCINNATI, CHICAGO AND ST. LOUIS RAILWAY TRACT,  
CONTAINING 8.30 ACRES, EXCLUSIVE OF THE PART THEREOF UNDER FENCE BY  
SAID RAILWAY COMPANY.

EXCEPTING THEREFROM THE FOLLOWING 6 TRACTS:

TRACT 1

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION  
16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN,  
JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF SAID QUARTER QUARTER SECTION AT A  
POINT 333 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH  
170.15 FEET; THENCE WEST 256 FEET; THENCE NORTH 170.15 FEET TO THE  
NORTH LINE OF SAID QUARTER QUARTER SECTION; THENCE EAST ON SAID  
NORTH LINE 256 FEET TO THE PLACE OF BEGINNING, CONTAINING 1 ACRE, MORE  
OR LESS.

TRACT 2

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION  
16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN,  
JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID QUARTER QUARTER SECTION;  
THENCE SOUTH 170.15 FEET ON AND ALONG THE EAST LINE OF SAID QUARTER  
QUARTER SECTION; THENCE WEST 327.9 FEET; THENCE NORTH 170.15 FEET TO  
THE NORTH LINE OF SAID SECTION; THENCE EAST ON SAID NORTH LINE 333.0  
FEET TO THE PLACE OF BEGINNING, CONTAINING 1.29 ACRES, MORE OR LESS.

TRACT 3

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION  
16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN,  
JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF SAID QUARTER QUARTER SECTION 804.0  
FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE SOUTH 170.15 FEET;  
THENCE WEST PARALLEL TO THE NORTH LINE 256.0 FEET; THENCE NORTH  
170.20 FEET TO SAID NORTH LINE; THENCE EAST ON SAID NORTH LINE 251.38  
FEET TO THE PLACE OF BEGINNING, CONTAINING 0.99 ACRE, MORE OR LESS.

TRACT 4

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING ON THE NORTH LINE OF THE SAID QUARTER QUARTER SECTION 955.38 FEET WEST OF THE NORTHEAST CORNER THEREOF; THENCE WEST ON AND ALONG THE SAID NORTH LINE 100.00 FEET; THENCE SOUTH 167.20 FEET TO AN EXISTING IRON ROD; THENCE EAST 100 FEET; THENCE NORTH 167.44 FEET TO THE PLACE OF BEGINNING, CONTAINING 0.38 ACRE, MORE OR LESS.

TRACT 5

A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

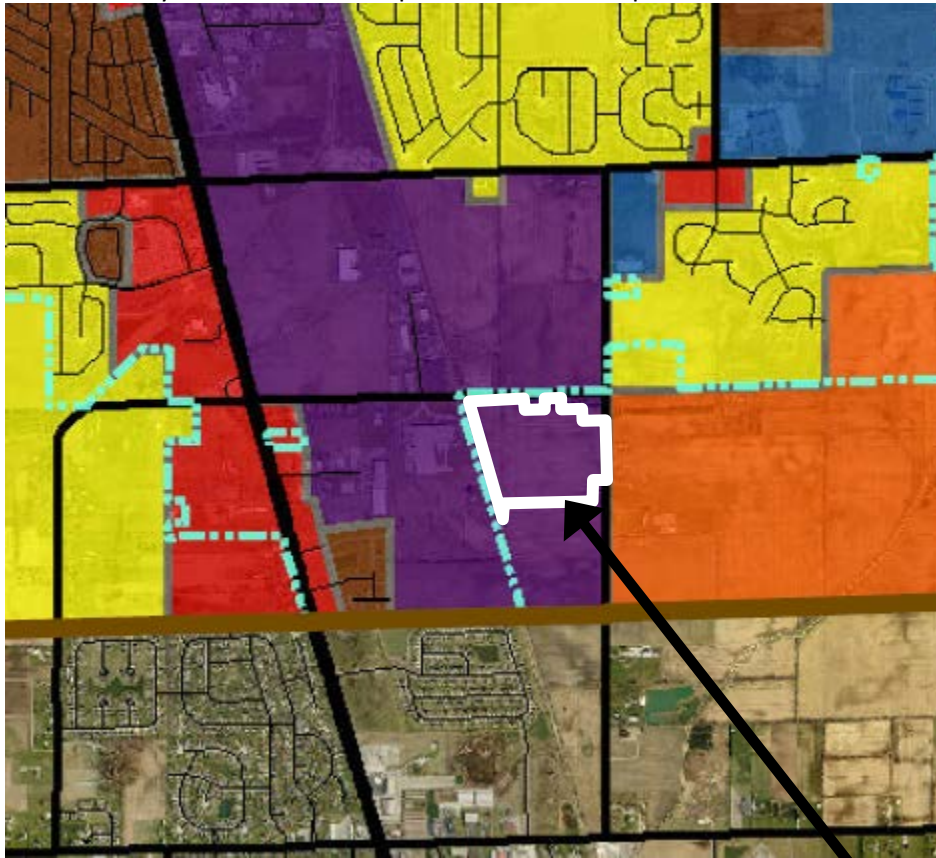
BEGINNING ON THE EAST LINE OF SAID QUARTER SECTION 170.15 FEET SOUTH OF THE NORTHEAST CORNER THEREOF; THENCE WEST 327.9 FEET; THENCE SOUTH 170.15 FEET; THENCE EAST 322.8 FEET TO THE SAID EAST LINE; THENCE NORTH ON AND ALONG THE SAID EAST LINE 170.15 FEET TO THE POINT OF BEGINNING, CONTAINING 1.27 ACRES, MORE OR LESS.

TRACT 6












A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SAID QUARTER QUARTER SECTION; RUNNING THENCE NORTH ON AND ALONG THE EAST LINE THEREOF 269.20 FEET; THENCE DEFLECTING 91 DEGREES 52 MINUTES LEFT AND RUNNING WEST ALONG AN EXISTING FENCE LINE 176.23 FEET TO A CORNER POST; THENCE SOUTH ON AND ALONG AN EXISTING FENCE LINE 267.69 FEET TO THE SOUTH LINE OF THE SAID QUARTER QUARTER SECTION; THENCE EAST ON AND ALONG THE SAID SOUTH LINE 175.30 FEET TO THE PLACE OF BEGINNING, CONTAINING 1.08 ACRES, MORE OR LESS.

Exhibit E – City of Greenwood Proposed Land Use Map

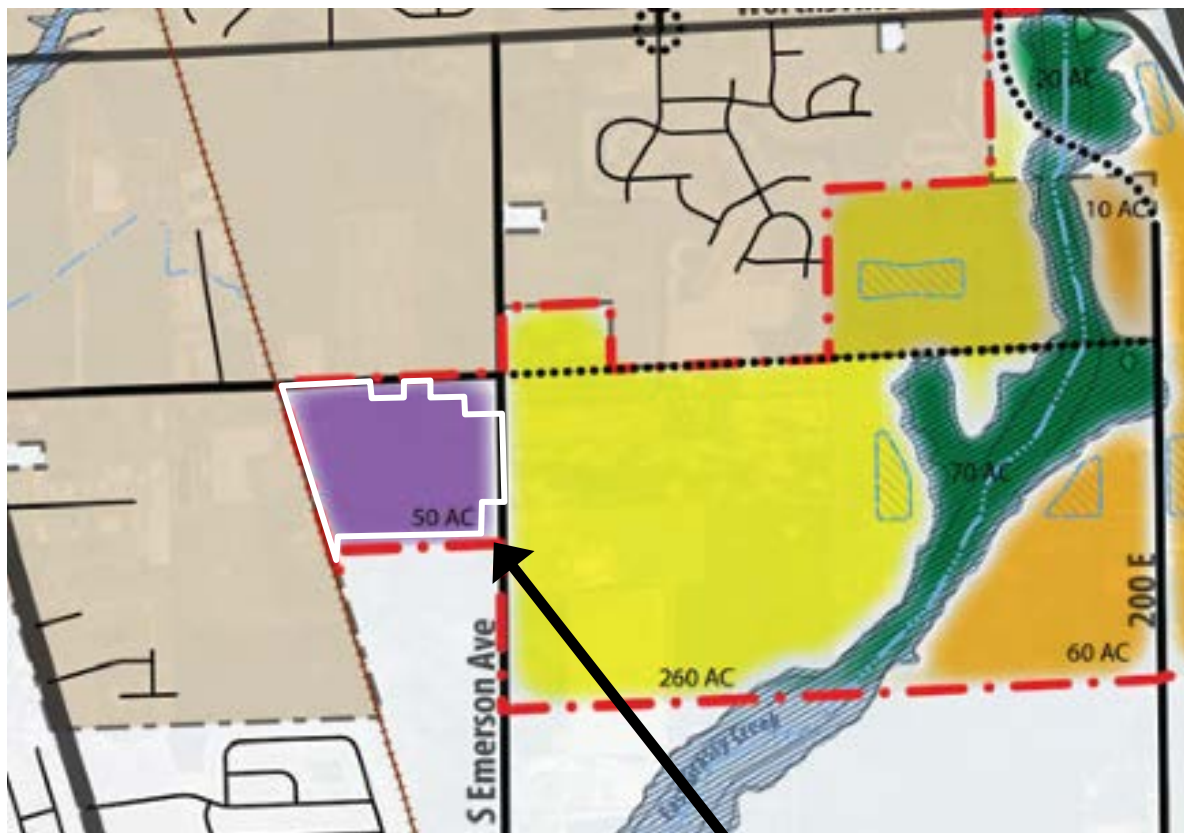


### Legend

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

Site Location

Exhibit F – I-65 Land Use Plan Future Land Use Plan



Legend

- Single Family
- Multi-Family
- Retail
- Office
- Institutional
- Industrial
- Conservation
- Park / Recreation
- Potential Park / Rec.
- Agriculture (Short-term)
- Proposed Roads
- Hydrology
- Potential Detention
- Flood Zone
- City of Greenwood
- Study Area

Site Location