

### **Members Present**

John Shell, Josh King, Charrie Stambaugh, Michael Probst, Steve Milbourn, Paul Peoni, John Price, and David Lekse. Members attended in-person with the option to use Zoom.

Also present: Planning Director Gabriel Nelson, City Planner Kevin Tolloty, City Attorney Shawna Koons, Recording Secretary Stevie Jarrett, and Exos IT Monty McDougal.

### **Approval of Meeting Minutes**

Mr. Lekse moved to approve the minutes from April 28, 2025, seconded by Mr. Probst. Vote: Mr. Shell, Mr. King, Mr. Probst, Mr. Milbourn, Mr. Price, and Mr. Lekse (6-0-2). Mr. Peoni and Ms. Stambaugh abstained. **MOTION CARRIES.**

### **Special Requests/Continuances**

**PC2025-015 Creekstone Primary Plat**, petitioner, Paul Claire, on behalf of Taylor Morrison of Indiana LLC requests a continuance to the May 28th Plan Commission Meeting.

Eric Prime, Van Valer Law Firm, explained a formal written request was sent to staff to continue to the May 28<sup>th</sup> meeting. Substantial infrastructure issues have arisen with the project.

Ms. Stambaugh moved to continue to May 28<sup>th</sup>, seconded by Mr. Price. Vote: Mr. Shell, Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. (8-0) **MOTION CARRIES.**

### **UDO Text Amendments**

Mr. Nelson proposed that the PC2024-050 be moved to the end of the agenda. Ms. Koons stated the text amendments will be moved to the end of the agenda.

### **New Business**

**PC2025-002 Patel Minor Plat Waivers**, petitioner, Andrew Barkocy, on behalf Vip Patel, requests the modification Sec 10-06-01(A)(4)(c) and Section 10-06-03 (D) waivers approved on January 27, 2025 as the Patel Subdivision initially created two total lots and now desires to create three total lots instead.

Andrew Barkocy presented these waivers. Originally, it would be two lots, but since then it has changed. They request to add one more lot. The waivers will alter the previous alter. Mr. Barkocy explained this would be more like a family compound and more common in Johnson County. They want this to look more estate like.

Mr. Nelson clarified that previously there was a request for waivers. There was a condition that there would be no more than two lots. They have since proposed a third lot. Mr. Nelson stated they did recommend denial on these waivers. Adding more than a couple lots does change it

quite a bit. Mr. Nelson explained driveway use and maintenance could be a problem generations from now.

Mr. Probst asked about the cross section of the private street. It would most likely be asphalt. It would only be property owners going through.

Mr. Peoni expressed concern for public safety. Mr. Barkocy stated he worked with White River Township Fire Department on a similar situation on Olive Branch Road. Mr. Peoni stated it has to be hard surface no matter what.

Mr. Nelson stated if this is approved, then there needs to be a condition that allows the Fire Department to determine the turnaround.

Mr. Probst asked if staff was promoting a cul-de-sac. Mr. Barkocy explained the majority would be on lot 3. Mr. Shell asked how close could the fire department get? Mr. Barkocy stated they recommend a 20-foot drive.

There was discussion about cul-de-sac.

Ms. Koons stated they would want to add the condition to the first waiver. Staff suggested a condition about road frontage.

Ms. Koons discussed the proposed conditions.

Ms. Stambaugh move that the request of Barkocy Surveying on behalf of Vip Patel for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Sec. 10-06-01 A. 4. c., that specifies that minor streets should provide access to each parcel within a subdivision to adjoining undeveloped tracts to encourage connectivity, to allow no minor street access from each parcel of land to adjoining undeveloped tracts in the subject minor plat because the proposed minor plat is for three single-family residences on existing lots that will share access by a gated private drive, not a street, and the private drive will not support traffic from surrounding parcels, be approved, subject to the condition that a maximum of three lots are provided in the subdivision and is described in the final plat, and the condition that the White River Township Fire Department has found the determination and approval for the type of turnaround that needs to be used, and that the Plan Commission find that the criteria set forth by Greenwood Municipal Code Sec. 10-04-03 K. for the approval of the waiver has been met for the reasons set forth in the attachment to the written waiver request and as presented, seconded by Mr. Probst. Vote: Vote: Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. Nays: Mr. Shell (7-1) **MOTION CARRIES.**

There was discussion about the driveway.

Mr. Peoni move that the request of Barkocy Surveying on behalf of Vip Patel for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code Sec. 10-06-03 Lots, D., that specifies that every lot or parcel shall have sufficient frontage and access to a

public street, to allow no direct street frontage on proposed Lot 3 because access to the lot will be provided through a shared private drive with proposed Lots 1 and 2 (Lot 1 has only 50 feet of frontage), be approved, with the condition that an easement for maintenance and access is provided on the final plat and the width of proposed driveway be a minimum of 22" wide, and that the Plan Commission find that the criteria set forth by Greenwood Municipal Code Sec. 10-04-03 K. for the approval of the waiver has been met for the reasons set forth in the attachment to the written waiver request and as presented, seconded by Mr. Probst. Vote: Mr. Shell, Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. (8-0) **MOTION CARRIES.**

**PC2024-038 Honey Creek Sec 1 Waiver**, petitioner, Kevin Sumner, on behalf of Lennar Homes of Indiana, LLC, requests a landscape waiver from section 10-03-06 (H) to waiver to relocate 29 street trees to common areas.

Kevin Sumner, Weihe Engineers, presented these waivers. This section has an entrance off Smokey Row Road. They request a waiver to relocate the trees to common areas.

Mr. Tolloty stated staff is in favor of this waiver. The trees will meet the requirement, but they just be in common area. Mr. Tolloty stated they prioritize the trees in areas with trails.

Ms. Stambaugh move that the request of Wiehe Engineers on behalf of Lennar Homes of Indiana, LLC, for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code, Sec. 10-03-06 Landscaping and Buffering, H., that specifies the planting of one street tree per 40 linear feet of frontage, to allow relocation of 29 of the required 144 street trees to common areas and buffer yards around the subject project due to driveway and utility location conflicts, be approved, with the condition that priority tree placement relocates in common areas with trails, and that the Plan Commission find that Lennar Homes of Indiana, LLC has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for the waiver and as presented, seconded by Mr. Lekse. Vote: Mr. Shell, Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. (8-0) **MOTION CARRIES.**

**PC2024-039 Honey Creek Sec 2 Waiver**, petitioner, Kevin Sumner, on behalf of Lennar Homes of Indiana, LLC, requests a landscape waiver from section 10-03-06 (H) to waiver to relocate 23 street trees to common areas.

Kevin Sumner, Weihe Engineers, presented these waivers. He explained this is a similar situation. Mr. Tolloty stated staff feels the same way as the previous waiver. Mr. Tolloty stated that they need to prioritize trees near trails.

Mr. King moved, seconded by move that the request of Wiehe Engineers on behalf of Lennar Homes of Indiana, LLC, for a waiver of the requirements of the Unified Development Ordinance, Greenwood Municipal Code, Sec. 10-03-06 Landscaping and Buffering, H., that

specifies the planting of one street tree per 40 linear feet of frontage, to allow relocation of 23 of the required 198 street trees to common areas and buffer yards around the subject project due to driveway and utility location conflicts, be approved, with the condition that priority tree placement relocates in common areas with trails, and that the Plan Commission find that Lennar Homes of Indiana, LLC has met the criteria set forth by Greenwood Municipal Code Sec 10-04-03 K. for the waiver, for the reasons set forth in its request for the waiver and as presented. Vote: Mr. Shell, Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. (8-0) **MOTION CARRIES.**

**PC2024-050 UDO Text Amendment**, the City of Greenwood (“City”) Unified Development Ordinance for the purpose to make modifications to the following divisions/sections:

**Division I. Introduction and using this Ordinance:** Sec. 10-01-10 (Rules for Interpreting District and Zone Boundaries on Official Zoning Map)

**Division II. Districts and Zones:** Sec. 10-02-11 (Master List of Uses by Zone and District) and Sec. 10-02-12 (Standards for Special Exceptions)

**Division III. Generally Applicable Regulations:** Sec. 10-03-08 (Signage), Sec. 10-03-09 (Fences and Screens), Sec. 10-03-13 (Accessory Uses and Structures) and Sec. 10-03-14 (Building Design Standards)

**Division IV. Subdivisions:** Sec. 10-06-16 (Street and Subdivision Names)

**Division VII. Glossary**

Gabriel Nelson, Planning Director, City of Greenwood, 300 S Madison Avenue, was administered the oath.

Mr. Nelson explained that staff has been going through the UDO to address the high frequency items and to align with the comprehensive plan. Mr. Nelson explained the divisions that contain proposed amendments.

Mr. Nelson explained that there are currently three uses for gasoline sales. This is proposed to be only one. There were many different types of uses for food and drink. Some of the uses were based on the quality food. This is subjective. Full-service hospitals were removed from various zones.

Mr. Nelson explained artisan crafts requirements.

Bakeries were added to the use table. Personal care and beauty services were added to the Old Town district.

Mr. Nelson noted the removal of the mortared masonry wainscoting. There are other options they can seek now.

The building design standards were reformatted for clarity. Mr. Nelson explained the requirement for town homes. Mr. Nelson discussed materials. This will allow multiple materials to be used. Mr. Nelson explained the deleted outdated definitions and duplicate definitions.

Mr. Nelson presented a powerpoint about the UDO update. There have been a number of the variances in the last few years. This will align with the comprehensive plan.

Mr. Nelson explained recently they created the Zoning Verification Letter. Usually these are requested by banks or lenders. Staff has to do a lot of research for these letters.

The use table changes were highlighted.

Cluster mailboxes have been a recent subject in the new subdivisions. These are being required by the post master in the new subdivisions. They have been partially in the R/W and clustered in one area. There have been concerns about safety. Mr. Nelson explained these need to be in common area, behind the sidewalk, landscaped, and listed other requirements.

Mr. Nelson explained the accessory structure mortared masonry requirement. This is a high variance item.

Mr. Nelson addressed the non-monotony standards. Currently, houses with the same material can't be next to each other. Additions will still need to match the home, but they will not need to bring the whole home into compliance. Mr. Nelson presented an example of how the garages are protruding.

Mr. Nelson explained the fences and screens requirements.

There were changes made to the building design standards and signage requirements.

There were glossary highlights. Many definitions were from FEMA/DNR. Some definitions were duplicated were not defined well. Mr. Nelson stated it is good to define words within the ordinance.

The public hearing was closed.

Ms. Stambaugh stated she loves the cluster mailbox update. This is one of the reasons she did not move into Elmwood Estates. Ms. Koons explained the post office is not doing individual mail delivery anymore. Mr. Nelson explained they are also requiring some type of lighting. There was discussion about cluster mailboxes. Mr. King asked if they can require a pull-off blister to prevent stacking.

Mr. King discussed adding parking blister. There was discussion about traffic at mailbox clusters. Ms. Koons talked about parking standards and allowing parking spaces the mailbox clusters.

Ms. Koons discussed making amendments.

Ms. Stambaugh asked if places were grandfathered in. Mr. Nelson explained approved projects are grandfathered in.

Mr. King move that the amended petition to amend the text of the Unified Development Ordinance and Greenwood Municipal Code (1993), as amended and to include CBU shall include a delivery pull off, Chapter 10, article 25, Divisions I, II, III, IV, and VII, to correct various errors and omissions, and to clarify, add and delete language to align with the vision of the comprehensive plan, as set forth therein, receive a favorable from this Commission to the Greenwood Common Council and that the same be certified to the Greenwood Common Council in the form presented, seconded by Mr. Lekse. Vote: Mr. Shell, Mr. King, Mr. Milbourn, Mr. Price, Mr. Probst, Mr. Lekse, and Ms. Stambaugh. (8-0) **MOTION CARRIES.**

### **New Business from the Floor**

Katie Henrichs, Folktale Event Center, requested a modification for the use permit. She explained she was looking for a dual use permit. The primary business to rental for events. Ms. Henrichs explained they were looking to rent rooms out to wedding industry vendors. These vendors would compliment the business and give more options to brides.

Mr. Nelson explained Folktale is Old Town zoned. Mr. Nelson explained event center is a permitted use in this zone. Tattoo services were removed from retail use. It falls under broader categories. Professional care and beauty services were not allowed in Old Town or Old Town residential. This use is a proposed use.

Ms. Koons and Mr. Nelson discussed this use. Mr. Nelson directed Ms. Henrichs to reach out to her council member to support these UDO changes.

There was discussion about the use.

### **Announcements**

The next Plan Commission will be Wednesday May 28<sup>th</sup>.

### **Adjournment**

Mr. King moved to adjourn the meeting at 8:23PM.

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John Shell  
President

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Stephanie R. Jarrett  
Recording Secretary

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