

# Staff Report – Plan Commission

<b>Docket #:</b>	PC2023-027	<b>Hearing Date:</b>	May 22, 2023
<b>Address:</b>	3221 W SMITH VALLEY RD, GREENWOOD, IN		
<b>Applicant:</b>	Alan Hamson		
<b>Owners:</b>	Alan and Emily Hamson		
<b>Staff Contact:</b>	Gabe Nelson, nelsong@greenwood.in.gov, 317.883.8051		

**Request:**

Petitioner requests to annex 0.97 acres into the City of Greenwood and a zone map change from Johnson County R-4 to the Greenwood CM (Commercial Medium) zoning district for the purpose of allowing the residential property to change to a commercial use (small salon and real estate office).

**Location:**

3221 W Smith Valley Rd (Parcel 41-04-02-011-009.000-038)

Exhibit D: Legal Description

**Existing Land Use:**

The property is currently zoned Johnson County R-4 with a single-family residential house.

**Surrounding Land Use:**

- North: Zoned R-4 (Johnson County) with current use being residential.
- East: Zoned CM (Greenwood) with current use being commercial.
- South: Zoned RA (Greenwood) with current use being residential attached single-family.
- West: Zoned RA (Greenwood) with current use being residential attached single-family.

**Ordinance References:**

- Resolution No. 07-12, Greenwood Comprehensive Plan
- Ordinance 21-44, Article 25, Division 2 Districts and Zones, Section 10-02-11 Master List of Uses by Zone and District
- Ordinance 21-44, Article 25, Division 4 Administration and Procedures, Section 10-04-03 Plan Commission, J Zoning Map Changes
- Ordinance 20-29, Article 25, Division 4 Administration and Procedures, Section 10-04-07 Annexation

**Statutory Criteria:**

With respect to the zone map change, Plan Commission and the legislative body shall pay reasonable regard to:

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

**Comments and Petitioner’s Findings of Fact:**

This request is to annex 0.97 acres into the City and establish CM (Commercial Medium) zoning for the site to be used as commercial. The Comprehensive Plan proposes commercial for the property.

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

**The Comprehensive Plan**

The petitioner has indicated that *“This parcel is identified as a market place shopping center area under future growth and development areas identified as future commercial property.”*

Staff indicates the Future Land Use shown in the Comprehensive Plan shows the real estate as Commercial and as a future growth and development area.

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

The petitioner has indicated that *“Received rule 13 review from IDHS to convert to commercial from residential. Structure will be improved to comply with all maintenance needs.”*

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

The petitioner has indicated that *“The size of the parcel calls for the requested CM zoning. This zoning allows for the intended use.”*

**The conservation of property values throughout the jurisdiction**

The petitioner has indicated that *“Only a positive effect on curb appeal of property and view of surrounding properties.”*

**Responsible development and growth**

The petitioner has indicated that *“Supports local business, will improve structure and property without placing a burden on neighboring property, aligns with comprehensive plan and adjoining commercial properties.”*

**Recommendation:**

Staff recommends the annexation of this property as CM zoning due to its alignment with the Comprehensive Plan. Staff finds that CM zoning could provide for development patterns that keep with the surrounding area. With Greenwood City limits on either side of this property the annexation of this land will have minimal impact to the City. The annexation is voluntary and will allow the owner to connect to our sanitation.

Staff recommends a **favorable recommendation** for annexing the 0.97 acres into the City of Greenwood. Staff recommends a **favorable recommendation** for the zone map change from Johnson County R-4 to Greenwood CM.

Staff recommends the following commitment:

1. When site is improved, UDO requirements as amended, inclusive of landscaping, pedestrian facilities, right-of-way dedication, stormwater, parking requirements, etc., will be incorporated.

**Attachments:**

Exhibit A: Map of Annexation

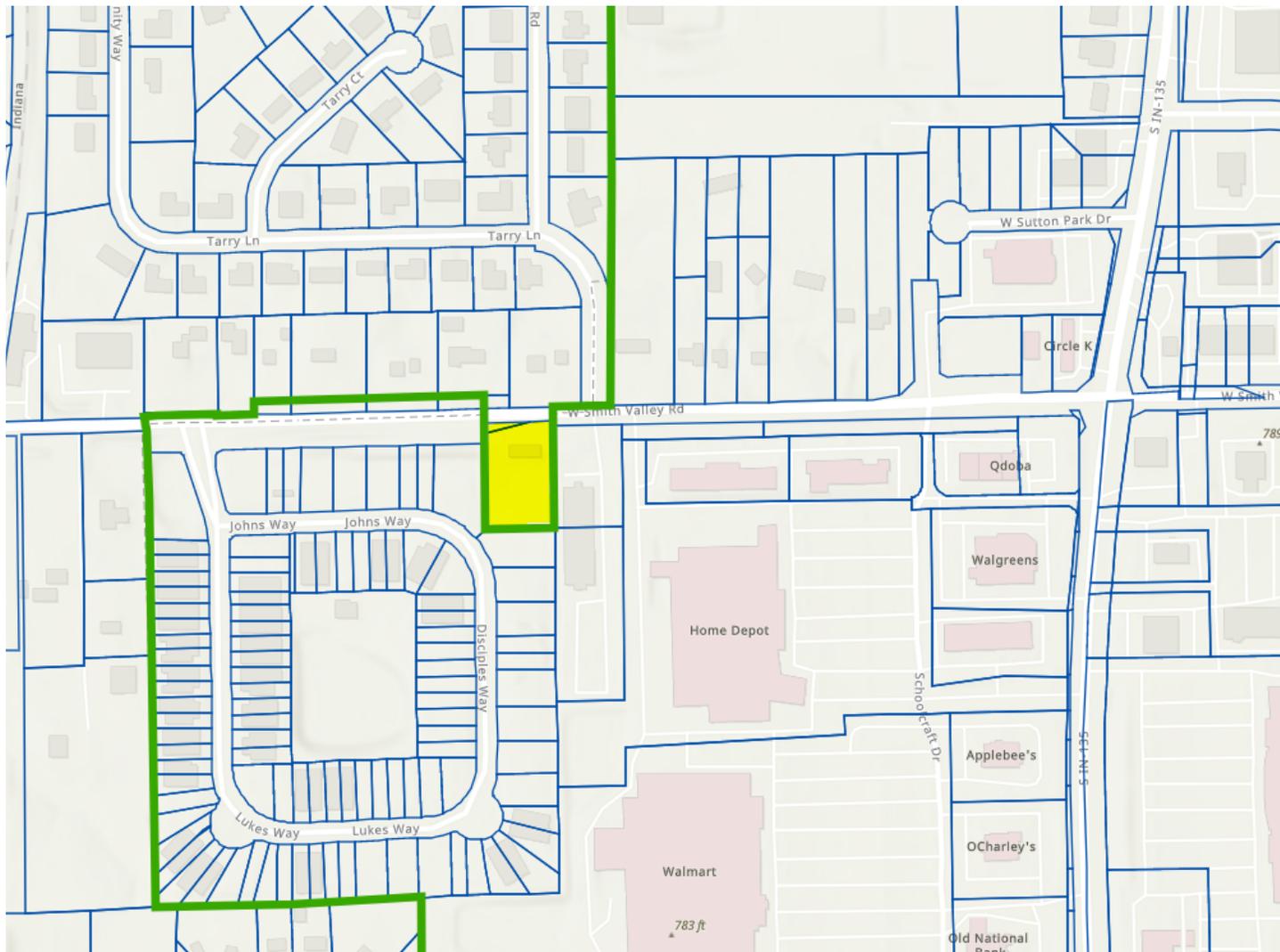
Exhibit B Comprehensive Plan: Future Growth and Redevelopment Areas

Exhibit C: Comprehensive Plan: Future Land Use Map

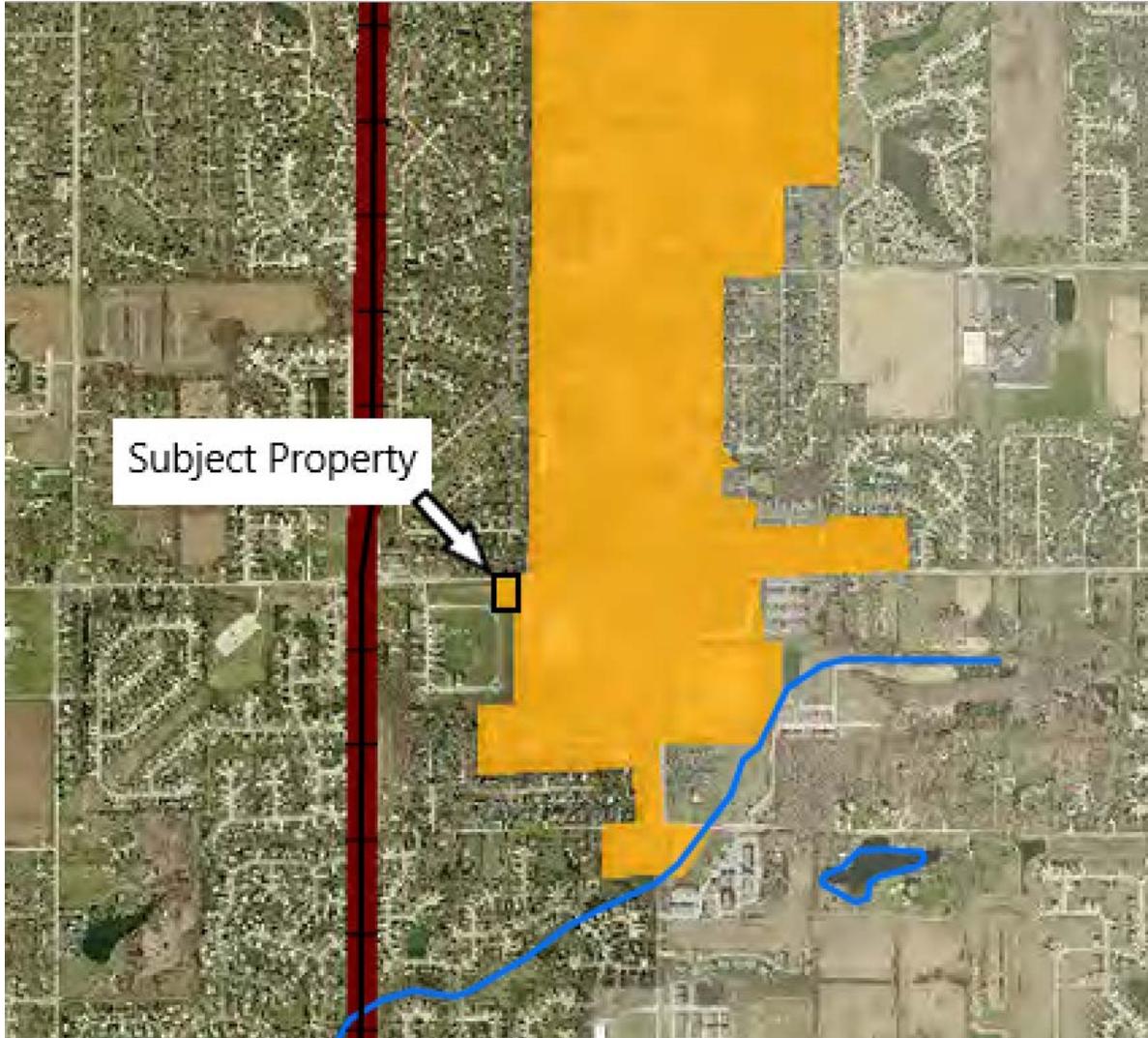
Exhibit D: Legal Description

Exhibit E: Surveyor Location Report with Concept Plan Sketch

Exhibit A: Map of Annexation



**Exhibit B: Comprehensive Plan: Future Growth and Redevelopment Areas**



**Legend**

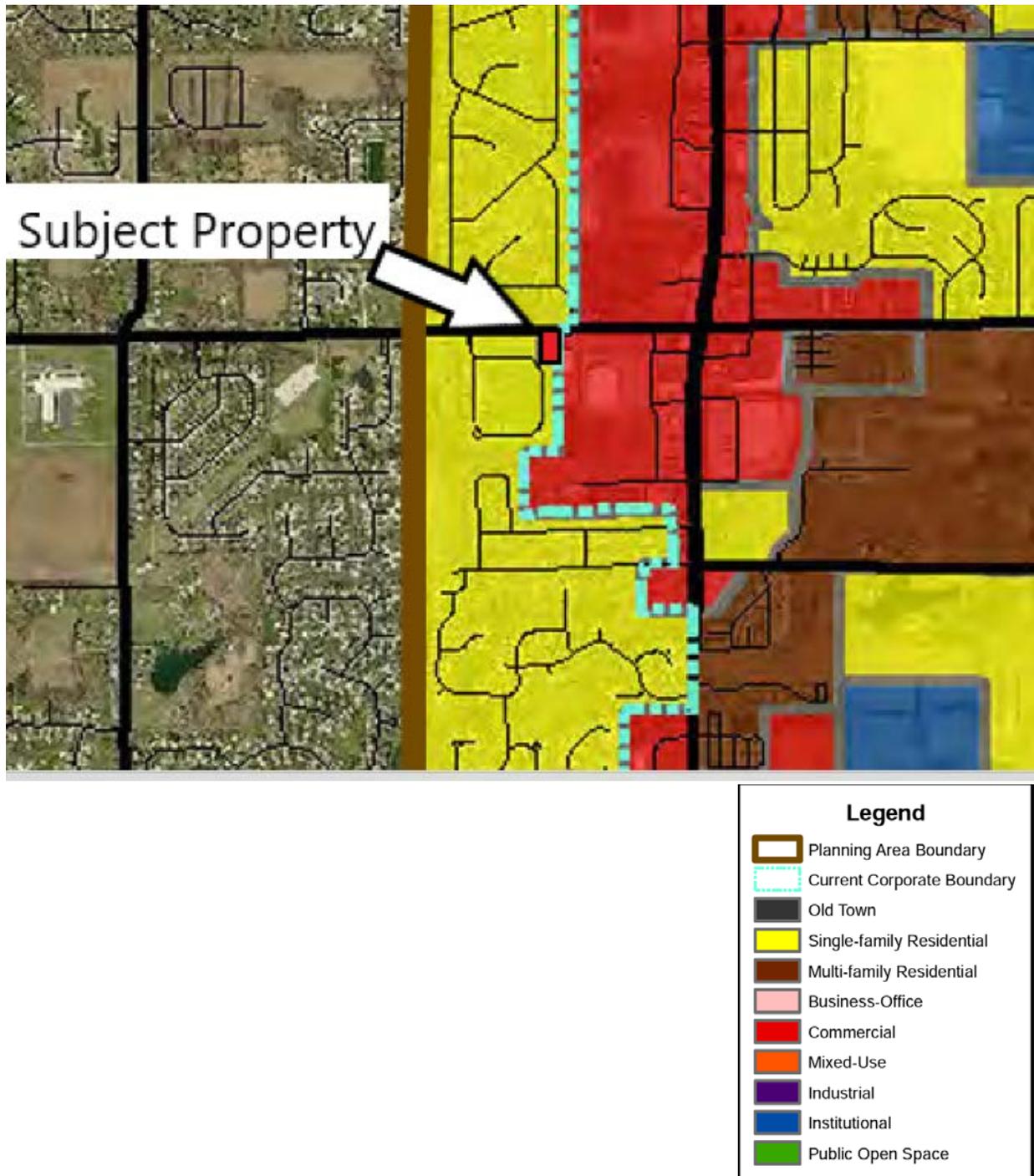
- Planning Area Boundary
- Current Corporate Boundary
- Old Town Area
- Life Sciences/Airport Transitional Area
- Logistics Employment Area
- Market Place Shopping Center Area
- Regional Shopping Center Area
- Advanced Manufacturing Area
- Transitional Corridor Area

City of Greenwood, IN Comprehensive Plan 2007 – 2027  
PG. 56

**SR 135 Marketplace Corridor Area**

The SR 135 Marketplace Corridor is primarily located between County Line Rd. to the north and Curry Rd. to the south. This corridor primarily functions as a local retail destination, and is comprised of big box stores and franchise establishments abutting the thoroughfare, with smaller, locally owned businesses located adjacent to the otherwise easily recognizable chain establishments. Many of these big boxes and national chains have the ability to draw consumers from the more rural areas of Morgan and Johnson County. However, this type of draw is likely to decrease as the surrounding rural counties build-out.

## Exhibit C: Comprehensive Plan: Future Land Use Map



City of Greenwood, IN Comprehensive Plan 2007 – 2027  
PG. 61

### Future Commercial Land Uses

There are a number of commercial areas which are likely to be developed or redeveloped during the life of this plan. These areas will continue to provide for a variety of uses including retail, office, restaurant, and services to meet the needs of residents of the city and surrounding communities.

## Exhibit D: Legal Description

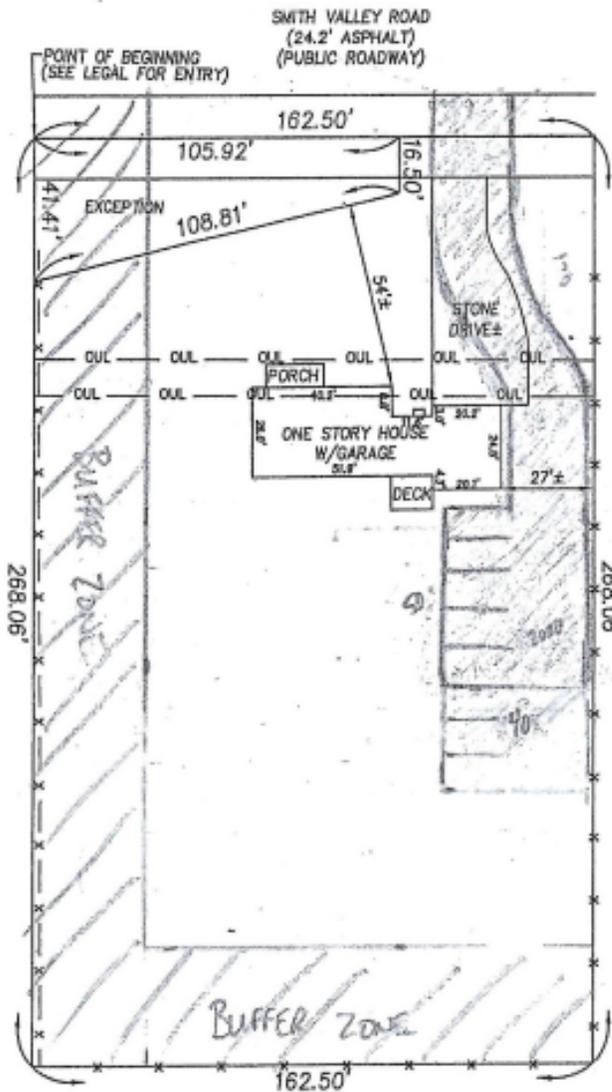
A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 13 NORTH, RANGE 3 EAST. IN JOHNSON COUNTY, INDIANA DESCRIBED AS FOLLOWS, TO- WIT: BEGINNING AT A POINT 57.52 RODS EAST OF THE NORTHWEST CORNER THEREOF; THENCE EAST 162.50 FEET; THENCE SOUTH 268.06 FEET; THENCE WEST 162.50 FEET; THENCE NORTH 268.06 FEET, TO THE PLACE OF BEGINNING CONTAINING ONE (1) ACRE, MORE OR LESS.

EXCEPTING THEREFROM

THAT PART CONVEYED BY WARRANTY DEED RECORDED MAY 13, 2002 AS INSTRUMENT NUMBER 2002-016231, DESCRIBED AS FOLLOWS: A PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 13 NORTH, RANGE 3 EAST MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT NORTH 88 DEGREES 56 MINUTES 38 SECONDS EAST 374.709 METERS (1229.36 FEET) (57.52 RODS (949.08 FEET) BY DEED RECORD 262, PAGE 276) OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 2, SAID POINT BEING THE NORTHWEST CORNER OF A PARCEL CONVEYED TO RAYMAN OWEN AND LOUISE A. ANDERSON AS DESCRIBED IN DEED RECORD #262, PAGE 276 OF THE RECORDS ON FILE IN THE OFFICE OF THE JOHNSON COUNTY RECORDER: THENCE SOUTH 01 DEGREES 03 MINUTES 22 SECONDS EAST A DISTANCE OF 12.621 METERS (41.41 FEET); THENCE NORTH 75 DEGREES 42 MINUTES 39 SECONDS EAST A DISTANCE OF 33.166 METERS (108.81 FEET); THENCE NORTH 01 DEGREE 03 MINUTES 22 SECONDS WEST A DISTANCE OF 5.029 METERS (16.50 FEET) TO THE NORTH LINE OF THE NORTHEAST QUARTER; THENCE SOUTH 88 DEGREES 56 MINUTES 38 SECONDS WEST, ALONG SAID NORTHLINE, A DISTANCE OF 32.285 METERS (105.92 FEET) TO THE PLACE OF BEGINNING. CONTAINING 0.0285 HECTARES (0.070 ACRES) MORE OR LESS, INCLUSIVE OF THE PRESENTLY EXISTING RIGHT OF WAY WHICH CONTAINS 0.0162 HECTARES (0.040 ACRES), MORE OR LESS, FOR NET ADDITIONAL TAKING OF 0.0123 HECTARES (0.030 ACRES), MORE OR LESS.

# SURVEYOR LOCATION REPORT

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that to the best of my knowledge, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-1-12 for a SURVEYOR LOCATION REPORT. Unless otherwise noted there is no visible evidence of possession lines found.



SCALE: 1"=60'

### LEGEND

- OUL — OVERHEAD UTILITY LINES±
- x - FENCE±

NOTE: FENCE LOCATIONS SHOWN ARE APPROXIMATE. AN ACCURATE BOUNDARY SURVEY IS REQUIRED TO DETERMINE EXACT LOCATIONS.

NOTE: DUE TO THE LACK OF QUALIFIED MONUMENTATION FOUND, THE ACCURACY OF THIS REPORT IS LIMITED TO 3±.



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CERTIFIED: 01/03/2023

*Chad L. Brown*  
 Chad L. Brown  
 Registered Land Surveyor,  
 Indiana #21100002  
 Drawn By: JEC  
 Job No.: S22-14878  
 Sheet 2 of 3