

GREENWOOD REDEVELOPMENT COMMISSION

RESOLUTION NO. 2023-09

**DECLARATORY RESOLUTION OF THE GREENWOOD
REDEVELOPMENT COMMISSION AMENDING THE GREENWOOD
EASTSIDE ECONOMIC DEVELOPMENT AREA AND THE ECONOMIC
DEVELOPMENT PLAN THEREFOR TO ESTABLISH AN AGE-
RESTRICTED HOUSING PROGRAM UNDER I.C. 36-7-14-49**

(Pulte Del Webb Project)

WHEREAS, the City of Greenwood (“City”) Redevelopment Commission (the “Commission”), governing body of the Greenwood Department of Redevelopment (the “Department”), on February 27, 1997, adopted its Resolution No. 97-1 (as subsequently confirmed and amended, the “Declaratory Resolution”) establishing an economic development area known as the Greenwood Eastside Economic Development Area (the “Economic Development Area” or “EDA”, the boundaries of which are provided and depicted in the Declaratory Resolution) and approving an economic development plan for the EDA (as subsequently amended, the “Plan”), pursuant to Indiana Code 36-7-14-1 *et. seq.* and Indiana Code 36-7-25-1 *et. seq.* (together, the “Act”);

WHEREAS, the Commission has previously designated certain allocation areas within the EDA for the purposes of capturing property taxes generated from the incremental assessed value of real property in accordance with the Act, including without limitation, the Eastside Allocation Area, the Central Expansion Allocation Area, the County Line Road and I-65 Allocation Area, Combs Road [Pride One] Allocation Area, the Emerson Pointe Allocation Area, and the Arlington Farms Allocation Area;

WHEREAS, pursuant to the Act, the assessment, planning, replanning, remediation, development, and redevelopment of economic development areas are public uses and purposes for which public money can be spent and private property may be acquired;

WHEREAS, the Commission has investigated, studied, and surveyed economic development areas within the corporate boundaries of the City;

WHEREAS, the Commission has determined that the development of certain property in the northeastern part of the City of Greenwood would be of public utility and benefit and has selected these properties to be added to the EDA and developed as part of the Economic Development Area (the “Pulte Del Webb Enlargement Area” or “Additional EDA”), which includes the approximately 186 acres of undeveloped land located south of County Line Road along the east side of Five Points Rd./N. 300 E. (the “Pulte Del Webb Property”) to be designated as a new allocation area (the “Pulte Del Webb Allocation Area” or “New Allocation Area”), a map of which is included within Exhibit A attached hereto and incorporated herein, for development under Indiana Code 36-7-14-49 through 52 of the Act;

WHEREAS, in conjunction with adding the Additional EDA to the EDA, the Redevelopment Commission now desires to amend the Plan by adopting this resolution and the supplement to the Plan attached hereto as Exhibit A (the “Plan Supplement” and “Program”), which Plan Supplement includes provisions for age-restricted housing within the Pulte Del Webb Allocation Area;

WHEREAS, the Plan Supplement promotes significant opportunities for the gainful employment of the City’s citizens, and the Plan Supplement cannot be achieved by regulatory process or the operation of private enterprise due to the lack of public improvements and other factors;

WHEREAS, the City and Commission representatives have published in the *Daily Journal* notice of the proposed Program and the meetings at which the Program was presented, and also posted such notice at the City Building for purposes of notifying persons interested in and affected by the proposed Program and inviting such persons to consult with the City and Commission representatives prior to the presentation of the Program to the Commission, all pursuant to Section 49(c)(1) of the Act;

WHEREAS, the City and Commission representatives have held public meetings in the areas to be affected by the proposed Program in order to obtain the views of such affected persons pursuant to Section 49(c)(2) of the Act;

WHEREAS, the Commission has caused to be prepared:

- (1) Maps and plats showing:
 - (A) the boundaries of the EDA, the Additional EDA, and the Pulte Del Webb Allocation Area;
 - (B) the location of various parcels of property, streets, roads, alleys, and other features that may affect the clearance, replatting, replanning, rezoning or development of the Additional EDA and the Pulte Del Webb Allocation Area; and
 - (C) the parts of the Additional EDA and the Pulte Del Webb Allocation Area that are planned to be acquired and devoted to public ways, levees, sewerage, parks and other public purposes under the Plan Supplement, to the extent applicable;
- (2) A list of the owners of the various parcels of property proposed to be acquired for, or otherwise affected by, the amendment of the Declaratory Resolution to add the Additional EDA and to establish the Pulte Del Webb Allocation Area; and
- (3) An estimate of the costs, if any, to be incurred for the development of property in the Additional EDA and the Pulte Del Webb Allocation Area;

WHEREAS, it is the desire and intention of the Commission that the designation of the Pulte Del Webb Property as an allocation area to be developed as an age-restricted residential development, be an exception to the Commission's prior resolution provisions stating that all parcels of property assessed as residential property under the rules of the Indiana Department of Local Government Finance (collectively, "Residential Parcels") are *not* to be considered as part of any allocation area designated in the EDA;

WHEREAS, the Plan Supplement and supporting data were reviewed and considered by the Commission;

WHEREAS, Sections 41 and 43 of the Act have been created to permit the designation of economic development areas and to provide that all of the rights, power, privileges and immunities that may be exercised by this Commission in a redevelopment area or urban renewal area may be exercised in an economic development area, subject to the conditions set forth in the Act; and

WHEREAS, the Commission deems it advisable to apply the provisions of Sections 41, 43, and 49-52 of the Act to the Plan Supplement and the Pulte Del Webb Allocation Area.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE GREENWOOD REDEVELOPMENT COMMISSION THAT THE DECLARATORY RESOLUTION IS AMENDED AS FOLLOWS:

1. The recitals of this Resolution are hereby incorporated herein by reference and deemed to be findings of the Commission.

2. The Declaratory Resolution is hereby amended to designate the Pulte Del Webb Enlargement Area as additional economic development area and is hereby added to the EDA, all of which is located within the City's corporate boundaries, and all references to the Greenwood Eastside Economic Development Area shall hereafter be deemed to include the Additional EDA, and the resulting enlarged EDA is depicted on Exhibit B attached hereto and incorporated herein.

3. The Commission finds that the amendment of the Declaratory Resolution as provided in this Resolution, the Plan Supplement, and the Program for the Pulte Del Webb Allocation Area:

- (a) Promote significant opportunities for the gainful employment of the citizens of the City;
- (b) Benefit the public health, safety, morals and welfare of the citizens of the City;

- (c) Increase the economic well-being of the City and the State of Indiana;
- (d) Serve to protect and increase property values in the City and the State of Indiana;
- (e) Is limited to age-restricted housing that satisfies the requirements of 42 U.S.C. 3607;
- (f) Will encourage older residents to locate or relocate to the City; and
- (g) Will not increase the school-age population.

4. The Commission finds that the Plan Supplement and Program cannot be accomplished by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41, 43, and 49-52 of the Act because of lack and/or insufficiency of local public improvements in the Additional EDA.

5. The Commission finds that the public health and welfare will be benefitted by the amendment of the Declaratory Resolution and the Plan and the accomplishment of the purposes of the Program, specifically by allowing for the construction and development of a new age-restricted, senior housing project that does not currently exist in sufficient quantity in the greater Greenwood area, which will allow the City to retain its aging population and attract new citizens that will support local business and attract permanent jobs.

6. The Commission finds that the amendment of the Declaratory Resolution as provided in this Resolution and the accomplishment of the Plan Supplement and the purposes of the Program will be of public utility and benefit as measured by an increase in the property tax base, improved diversity of the economic base, encouraging an age-diverse population in the City, and other similar public benefits.

7. The Commission does not propose to acquire real property in furtherance of this Plan Supplement.

8. The Commission finds that no residents of the Additional EDA or the City will be displaced by the projects contemplated in the Plan Supplement, and therefore finds that it does not need to give consideration to transitional and permanent provisions for adequate housing for residents.

9. The Commission hereby finds and declares that it will be of public utility and benefit to amend the Declaratory Resolution and Plan by adopting and adding the Plan Supplement to the Plan and that the projects contemplated in the Plan Supplement will promote economic development activity in the New Allocation Area, the EDA, and the City, as further described in the Plan Supplement.

10. The Department is permitted to engage in any and all activities necessary to facilitate the design, construction, and equipping of the projects contemplated in the Plan Supplement.

11. The Commission hereby finds and determines that the amendment of the Declaratory Resolution as provided in this Resolution and the Plan Supplement are reasonable and appropriate when considered in relation to the Declaratory Resolution, the Plan, and the purposes of the Act, and the Plan, as amended by the Plan Supplement, conforms to other development and redevelopment plans for the City as well as to the comprehensive plan for the City.

12. The Commission hereby adopts the specific findings set forth in the Plan Supplement, and the Plan Supplement is hereby in all respects approved and added to the Plan.

13. This paragraph shall be considered the allocation provision for the establishment of the Pulte Del Webb Allocation Area for purposes of IC 36-7-14-39 and 50 for the accomplishment of the Program. The Pulte Del Webb Property is hereby designated as a new allocation area as authorized in IC 36-7-14-39, and 49-52, to be referred to as the "Pulte Del Webb Allocation Area". Any property taxes levied on or after the effective date of this Resolution by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the allocation area shall be allocated and distributed in accordance with IC 36-7-14-39, and 49-52, or any applicable successor provision. This allocation provision shall expire no later than twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on

bonds or lease rentals on leases payable from tax increment revenues of the Pulte Del Webb Allocation Area, unless terminated at an earlier date by the Commission.

14. The Commission hereby finds that the adoption of the above allocation provision for the Pulte Del Webb Allocation Area will result in new property taxes in the area that would not have been generated but for the adoption of the allocation provision, and supporting evidence for such finding is provided within the Factual Findings portion of the Plan Supplement.

15. All of the rights, powers, privileges, and immunities that may be exercised by the Commission in a Redevelopment Area or Urban Renewal Area may be exercised by the Commission in the Additional EDA, subject to the limitations in IC 36-7-14-43.

16. This Resolution shall be submitted to the Greenwood Plan Commission (the “Plan Commission”) and the Greenwood Common Council (the “Council”), as provided in the Act, and, if approved by the Plan Commission and the Council, shall be submitted for public hearing and remonstrance before the Commission after public notice of the same, in accordance with the Act.

17. Upon receipt of the written order of approval of the Plan Commission which has been approved by the Common Council, the Department shall publish notice of the adoption and substance of this Resolution in accordance with IC 5-3-1-4 and file, or cause to be filed, notice with the Plan Commission, the Board of Zoning Appeals, the Board of Public Works, the Park Board, the building commissioner and any other departments or agencies of the City concerned with unit planning, zoning, variances, land use or the issuance of building permits. The notice must state that maps and plats have been prepared and can be inspected at the office of the City’s department of redevelopment and must establish a date when the Commission will receive and hear remonstrances and objections from persons interested in or affected by the proceedings pertaining to the proposed project and will determine the public utility and benefit of the proposed project. Copies of the notice must also be filed with the officers authorized to fix budgets, tax rates and tax levies under IC 6-1.1-17-5 for each taxing unit that is either wholly or partly located within the proposed allocation area. Copies of the notice must also be mailed to affected neighborhood associations and to persons owning property that is in the proposed enlargement of the area or that is proposed to be added to the acquisition list.

18. The Department shall prepare a statement disclosing the impact of the provisions of this Resolution establishing or amending the allocation provisions of the EDA, including the following:

- (a) The estimated economic benefits and costs incurred by the allocation area, as measured by increased employment and anticipated growth of real property, personal property and inventory assessed values; and
- (b) The anticipated impact on tax revenues of each taxing unit that is either wholly or partly located within the allocation area.

A copy of this statement shall be forwarded to each such taxing unit with a copy of the notice required under IC 36-7-14-17 at least 10 days before the date of the required hearing.

19. The Department shall record the confirmed resolution in the office of the Johnson County Recorder, and file a copy of the confirmed resolution with both the Johnson County Auditor’s Office and the department of local government finance, together with any supporting documents that are relevant to the computation of assessed values in the allocation area, within thirty (30) days after the date on which the Commission takes final action on this Resolution.

20. The officers, counsel, staff, advisers, and representatives of the Commission are hereby authorized and directed to make all filings necessary and desirable to carry out the purposes and intent of this resolution and the confirmatory resolution, including without limitation, working with the Johnson County Auditor’s office to finalize the official list(s) of parcels to be included within the allocation area(s) referenced within this resolution and the confirmatory resolution, to the extent consistent with the purposes and intent of this resolution and the confirmatory resolution.

21. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto.

22. The provisions of all prior resolutions in conflict with the provisions of this Resolution shall be of no further force or effect.

23. Severability. If any provision of this Resolution or its application to any person or circumstance is invalid or unenforceable, then the remainder of this Resolution or the application of such provision to other persons or circumstances shall not be affected by such invalidity or unenforceability, and in such case a suitable and equitable provision shall be substituted for such provision in order to carry out, so far as may be valid and enforceable, the intent and purpose of the provision and this Resolution.

24. This Resolution shall be effective as of its date of adoption.


ADOPTED ON THE 6th DAY OF December, 2023, BY A VOTE OF 5 AYES,
0 NAYS.

GREENWOOD REDEVELOPMENT COMMISSION



J. David Hopper, President

Attest:



Bryan K. Harris, Secretary

EXHIBIT A

Plan Supplement

2023 Pulte Del Webb Supplement to the City of Greenwood Eastside Economic Development Plan Including Program for Age-Restricted Housing (Pulte Del Webb Allocation Area)

December 12, 2023

The City of Greenwood Eastside Economic Development Plan, as originally approved by the Greenwood Redevelopment Commission (the “Commission”) on February 27, 1997, and as previously amended and supplemented from time to time (as supplemented, the “Original Plan”), is hereby further supplemented as set forth below. Capitalized terms used herein shall have the same meanings as defined in the declaratory resolution adopting this Plan Supplement and into which this Plan Supplement is incorporated (the “Pulte Del Webb Declaratory Resolution”).

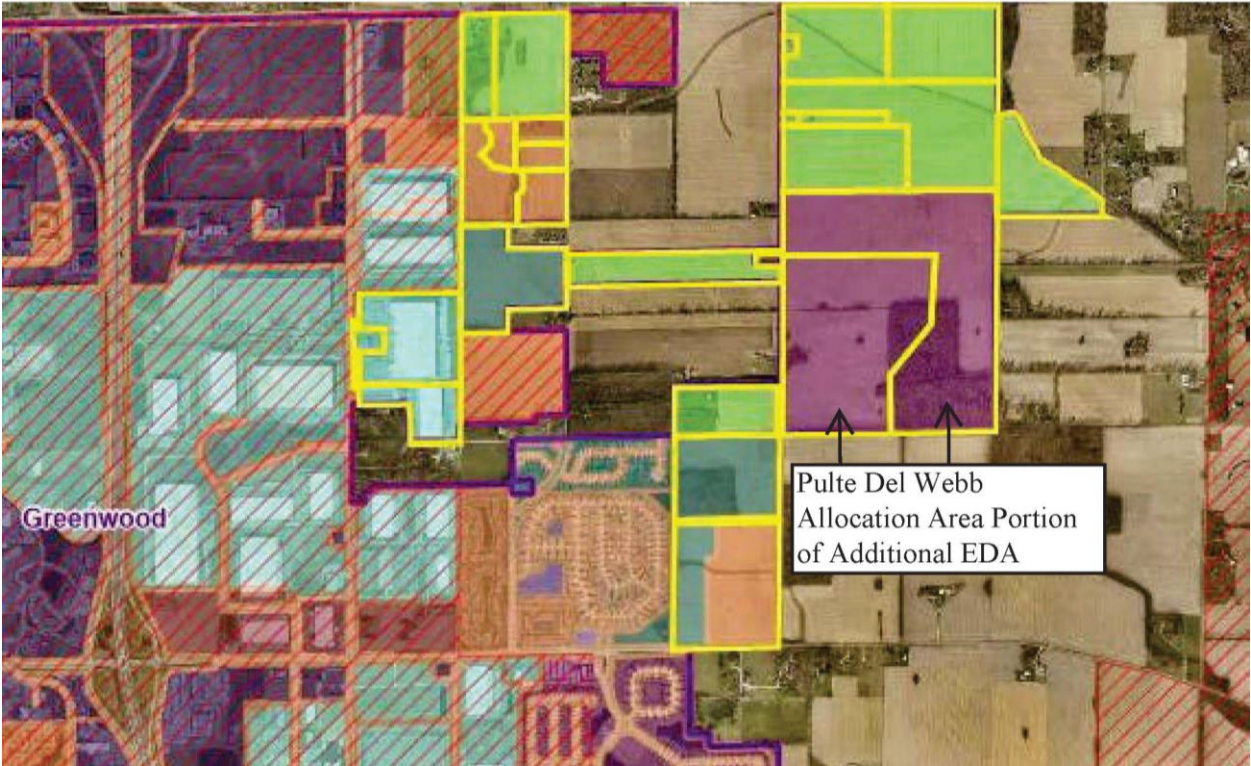
Project Objectives

The primary objective of the Original Plan for the Eastside Economic Development Area (the “Eastside EDA”) remains to benefit the public health, safety, morals, and welfare of the citizens of the City; increase the economic well-being of the City and the State of Indiana; serve to protect and increase property values in the City and the State of Indiana; and to provide the infrastructure system necessary for development of the Eastside EDA in the manner and quality proposed by the Greenwood Comprehensive Plan and the I-65 Corridor Overlay Zone. The Original Plan provided for infrastructure improvements in the areas of streets, sanitary sewers, drainage, public safety, and other local public improvements.

This supplement to the Original Plan and program for age-restricted housing (the “Plan Supplement” and “Program”) is designed to (i) promote significant opportunities for the gainful employment of citizens of the City, (ii) assist in the attraction of one or more major new business enterprises to the City, (iii) provide for local public improvements in, serving or benefiting the Eastside EDA, (iv) attract and retain jobs, (v) increase the property tax base, (vi) improve the diversity of the economic base of the City, (vii) encourage an age-diverse population in the City and (viii) enable the City to encourage older residents to locate or relocate to the City without increasing the school-age population; and is intended to assist in the development and economic growth of the I-65 County Line Road exit, I-65 Main Street exit, downtown Greenwood, the Corridor Overlay Zone, the Eastside EDA, and the City of Greenwood as a whole.

This Plan Supplement also includes designating the property depicted and described below as additional economic development area to be added to the Eastside EDA (the “Pulte Del Webb Enlargement Area”) as well as designating a new allocation area (the “Pulte Del Webb Allocation Area”) within the Eastside EDA, also depicted and described below.

**Depiction of the Pulte Del Webb Enlargement Area
(parcels highlighted in yellow) and
the Pulte Del Webb Allocation Area (the two parcels shaded in purple)**



Description of the Pulte Del Webb Enlargement Area By Parcel List
(Also being the list of owners of the various parcels of property affected by the amendment
of the Declaratory Resolution)

PARCEL ID	OWNER
41-02-26-033-014.009-030	CITY OF GREENWOOD
41-02-27-041-001.001-030	CITY OF GREENWOOD
41-02-26-033-014.010-023	CITY OF GREENWOOD
41-02-26-033-004.000-030	GRANITE (831 NORTH GRAHAM) LLC
41-02-26-031-020.000-030	JMS INVESTMENTS INC
41-02-26-042-024.000-030	GAUGHAN CANDIS K
41-02-26-021-008.000-030	CLEM KATHRYN WOODS & ROBERT J
41-02-26-021-007.000-030	MACKERODT CHRISTY W
41-02-26-024-004.000-030	HAMPTONS LLC THE
41-02-26-024-001.000-030	HAMPTONS II LLC
41-02-26-024-002.000-030	HAMPTONS II LLC
41-02-26-024-003.000-030	HAMPTONS II LLC
41-02-26-033-005.000-030	SHEAR GW5 LLC
41-02-26-044-003.000-030	INDY GROUP LAND INC
41-02-25-022-014.000-047	COPELAND REALTY LP
41-02-25-022-014.001-047	COPELAND ARTHUR ROY
41-02-25-021-013.000-047	COPELAND REALITY LP
41-02-25-023-015.001-047	COPELAND REALITY LP
41-02-25-023-013.001-047	COPELAND REALITY LP
41-02-25-023-015.000-047	COPELAND GEORGE E
41-02-25-021-013.002-047	COPELAND REALITY LP
41-02-25-032-016.000-047	FRANCESANN LLC
41-02-25-033-001.000-047	FRANCESANN LLC
41-02-35-011-001.000-030	CLARK PLEASANT COMMUNITY SCHOOL CORPORATION
41-02-35-014-002.000-030	ROBISON CRF LLC
41-02-25-013-012.000-047	COPELAND HOG FARM LLC

Description of the Pulte Del Webb Property and the Pulte Del Webb Allocation Area By Parcel List

(Being approximately 186 acres of unimproved land located south of County Line Road along the east side of Five Points Rd./N. 300 E. as depicted on the map above.)

PARCEL ID	OWNER
41-02-25-032-016.000-047	FRANCESANN LLC
41-02-25-033-001.000-047	FRANCESANN LLC

This Plan Supplement includes provision for Age- Restricted Housing within the Pulte Del Webb Allocation Area and expands the Original Plan objectives to include funding the Project detailed below, including without limitation, support for new age-restricted residential development through the enhancement of infrastructure.

This Plan Supplement also includes using funds from the Pulte Del Webb Allocation Area to support and facilitate the goals, purposes, and projects of the Original Plan for the Eastside Economic Development Area to the extent (a) funds are available to do so, and (b) such uses are related to the accomplishment of the purposes of the Program and are eligible expenditures under Section 52 of the Act.

Program Requirements

Any housing development within the Pulte Del Webb Allocation Area must be age-restricted and must satisfy the requirements of 42 U.S.C. 3607 (the federal Housing for Older Persons Act). The development of the Pulte Del Webb Allocation Area must be accomplished in a manner that will encourage and foster an age-diverse population in the City and enable and encourage older residents to locate or relocate to the Pulte Del Webb Allocation Area. The development of the Pulte Del Webb Allocation Area must be accomplished in such a manner so as to not increase the school-age population within the Pulte Del Webb Allocation Area.

Project Description

The project ("Project") shall consist of all of the public infrastructure, including but not limited to streets, curbs, gutters, storm and sanitary sewers, water mains and all other infrastructure that is not installed on behalf of a third party utility company, necessary for the development of all phases and sections of the new single-family for-sale homes for persons 55 and over within the Pulte Del Webb Allocation Area (the "Development") (to be constructed by a private developer), all of which shall be in, serving, or benefiting the Pulte Del Webb Allocation Area.

The total estimated cost of the Project is \$7,000,000. The Commission anticipates that the construction of the Project will encourage development in and around the Pulte Del Webb Allocation Area.

Economic Benefits of Program

The Program is anticipated to facilitate the growth and diversification of the property tax base, including additional investment in the Additional Area through the construction in the Pulte Del Webb Allocation Area of a 55+ community, consisting of 500 or more new single-family for-sale homes. This additional investment is anticipated to result in new employment opportunities in the Eastside EDA and increased housing opportunities for senior citizens in the City.

Factual Findings in Support of 2023 Pulte Del Webb Supplement

- The Program will result in a substantial increase in the assessed value of the City.
- The Program will help provide more housing supply for the City, including workforce housing. Providing more capacity for workforce housing has a direct impact on the City’s broader economic development goals as the larger workforce pool will help current and future businesses meet hiring needs.
- Improved diversity of the economic base as follows: The development of 500 new homes for seniors will drive demand for additional commercial services for residents. This

increase in demand will encourage additional commercial development, especially within the Eastside EDA. In addition, since the 500 new homes will be age restricted, the homes will allow the retention and attraction of seniors to the City, which will diversify the population and the residential housing market in the City.

- The Development will include restrictive covenants in each home's chain of title that require at least one person age 55 or older to reside in the home and that place restrictions on how long persons under the age of 19 may live in each home.
- The Program will make Greenwood a more desirable location for businesses and residents, alike, and will aid in the retention and expansion of business enterprises in the Eastside EDA.
- The Program and its impact on the rest of the City will have a synergistic effect that will help facilitate the high quality development of the New Allocation Area.
- The ability to attract and retain talent for high-wage positions is a key concern for companies and is a factor evaluated when determining business location.
- Investment in infrastructure improvements will demonstrate Greenwood's commitment to providing a first class living and working experience, and will assist in the attraction and retention of businesses and residents. And,
- The adoption of the allocation provision of the Resolution, which establishes the Pulte Del Webb Property as an allocation area within the Eastside EDA, will result in new property taxes in the Pulte Del Webb Allocation Area that would not have been generated but for the adoption of the allocation provision because:
 1. The Pulte Del Webb Property is currently unimproved land;
 2. Such property has been undeveloped for decades;
 3. Such property was recently proposed for development with the understanding that the proposed development of the property could not occur as proposed without funding assistance for the construction of critical infrastructure to serve the development and that such assistance would be facilitated by the designation of the property as an allocation area;
 4. The projects contemplated by the Plan Supplement for the Pulte Del Webb Allocation Area will help provide infrastructure necessary for the Pulte Del Webb Property to develop; and
 5. The projects contemplated by the Plan Supplement will be funded and accomplished because of the Pulte Del Webb Property being designated as an allocation area.

EXHIBIT B

Depiction of Enlarged Greenwood Eastside Economic Development Area with the
Pulte Del Webb Enlargement Area Added

