

Staff Report – Plan Commission

Docket #:	PC2024-059	Hearing Date:	October 28, 2024
Applicant:	NVR, Inc.-d/b/a Ryan Homes Indianapolis Division - 8425 Woodfield Crossing Blvd. Indianapolis, IN 46240		
Owner:	H&I Amick Farm, LLC, 52122 Fieldstone Lane, Granger, IN		
Subject Property:	Southwest Corner of E. County Line Road & N. Five Points Road		
Staff Contact:	Gabe Nelson, nelsong@greenwood.in.gov, 317.883.8051		

Request:

Petitioner requests to annex the real estate, currently zoned Rural AR, Agricultural/Residential District per Johnson County zoning, and rezone it to Residential Medium Lot (RM) and Commercial Medium Format (CM), per City of Greenwood zoning. The City's Future Land Use Map designates this property for neighborhood commercial and mixed density residential development. The RM zoned (southern) portion of the real estate would be developed by the petitioner as 135 for-sale detached single-unit dwellings. The proposed additional housing would provide more traditional for-sale housing within City limits. Amenities in this residential area would include paved walking trails, playground, sport court, ponds, and other open space amenity areas. The CM zoned (northern) portion of the real estate, directly adjacent to County Line Road, would be developed as a future neighborhood commercial area by a third-party partner. This mix of uses provides a compatible, self-sustaining development opportunity.

Location:

The subject property is located southwest corner of E. County Line Road & N. Five Points Road.
Parcel ID # 41-02-26-011-001.000-023

Exhibit H: Legal Description

Existing Land Use:

The property is currently zoned Johnson County AR, Agricultural/Residential District and used for agricultural purposes.

Surrounding Land Use:

- North: Zoned DA Agriculture Dwelling District, and D6 – Dwelling District 6 (Marion County) with current use being residential
- East: Zoned AG (Greenwood) and PUD (Greenwood) with current use being primarily agriculture with several homes and a small portion a 55+ community
- South: Zoned Johnson County AR, Agricultural/Residential District with current use being agriculture
- West: Zoned RMC (Greenwood) and Johnson County AR, Agricultural/Residential District with current use being apartments and agriculture with several homes

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:

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

1. This request complies with the Comprehensive Plan in the following way(s):

LAND USE - Pages 44-47: The proposed development is consistent with the Land Use chapter of the Comprehensive Plan, including providing more opportunity for small-scale retail and local businesses, providing a healthy mix of residential and commercial uses east of I-65, providing a neighborhood commercial center and trails to serve existing and future residents, providing new road connections to ensure a safe and efficient network, providing a location for east side residents for shopping, dining, and convenience needs, and providing a mix of land uses to ensure a diverse and sustainable tax base for the city.

FUTURE LAND USE MAP - Page 49: Per the Future Land Use Map, the property has been designated as "Neighborhood Commercial" for the northern portion of the real estate and "Mixed Density Residential" for the southern portion of the real estate, and the petitioner intends to adhere to the Future Land Use Map by providing both residential development and neighborhood commercial development, and so adhering to the desired zoning designation for the property. Additionally, high-quality usable open space areas are planned for the residential development area and bicycle and pedestrian connections would be provided externally and internally from the commercial development area in order to connect to adjacent neighborhoods.

LAND USE GOAL 2 - Pages 64-66: The proposed development is consistent with Land Use Goal 2 of the Comprehensive Plan by providing both employment and housing to this new growth area on the east side of the City, which will help to ensure the City's financial resilience. Neighborhood serving commercial businesses would be an integral and connected piece of this new development, as a large portion of the site would be preserved for commercial development.

FUTURE THOROUGHFARE MAP - Page 77: Per the Future Thoroughfare Map, the proposed commercial area is adjacent to a Principal Arterial and the proposed residential area is adjacent to a Minor Arterial to accommodate increased traffic patterns. Additionally, a Proposed Minor Collector would run east-west through the residential area, which is planned for by the petitioner.

FUTURE TRAIL NETWORK MAP - Page 101: The Future Trail Network Map shows proposed trails on the property. The proposed development would have trails / sidewalks provided to enhance pedestrian connectivity.

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

2. This request complies with the current conditions and the character of current structures and uses in each district in the following way(s):

The proposed development is mainly low-density residential which is consistent with the current conditions. There are multi-family apartments undergoing construction adjacent to the west in Greenwood. Additionally, single-family residential has been developed on the north side of County Line Road in Marion County and multi-family apartments are undergoing construction there as well. City staff desired neighborhood retail on the northern portion of the site near the corner of County Line Road, which the proposed development accomplishes.

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

3. The request is for the most desirable use for which the land in this district is adapted. Describe:

The proposed development is consistent with the City's Comprehensive Plan, which identifies the property for neighborhood commercial and mixed density residential development. It is residential and neighborhood retail proposed which is mixed use with a residential emphasis. The neighborhood commercial area would be

strategically located for the City in a location east of the interstate highway and along two arterial roads. The proposed development will not stress the roadway system adversely or significantly.

Staff Comment: Staff agrees that commercial and single-family homes are a good fit for this location. Staff would also be supportive of a mix of residential products and densities.

4. This request will not negatively affect the property values throughout Greenwood because:

The proposed development will be tax revenue positive and will not negatively affect the rest of the City. It will not require significant public services greater than the norm in Greenwood. The close proximity of the neighborhood commercial area would not reduce property values, but would bring valuable services to existing and proposed residential homes.

Staff Comment: Staff agrees that it will not require significant public services greater than the norm in Greenwood.

5. This request is considered responsible development and growth because:

The proposed development is responsible development and growth because it is adjacent to already developing areas and squares off the northern boundary of the City. The proposed development is not leapfrog development that skips over undeveloped land, but is adjacent to already developing property within Pleasant Township and inside City limits.

Staff Comment: Staff agrees that this project would infill between current projects to the east and west and help to square off the northern boundary of the City.

Recommendation:

The petitioner requests the annexation and rezoning of a property currently zoned Johnson County AR (Agricultural/Residential District) to Residential Medium Lot (RM) and Commercial Medium Format (CM) under the City of Greenwood zoning ordinance. The real estate is located along County Line Road, connecting Arlington Farms Apartments to the west and Sagebriar to the southeast, fulfilling a critical link between residential and commercial areas.

This project supports the comprehensive plan's goals by providing neighborhood commercial opportunities along County Line Road, where there is a current lack of small-scale retail and service establishments. The CM zoning will create space for uses that can serve the rapidly growing areas east of I-65, complementing the new residential developments.

The City's Future Land Use Map (2007 and 2012) designates this site for mixed-use development. The 2024 Comprehensive Plan further designates the frontage along County Line Road as Neighborhood Commercial and the remainder as Mixed-Density Residential. Single-family homes are a supported use in the Mixed-Density Residential designation, which aligns with city goals. Additionally, Planning Staff would have supported a variety of housing types and densities in this area.

Key Elements of the Proposal:

- The petitioner's conceptual layout includes a proposed east-west road, consistent with the 2024 Comprehensive Plan's transportation goals.

Exhibit F: Comprehensive Plan 2024: Future Transportation Map

- Ten-foot asphalt paths are conceptually shown and generally reflect our Future Trail Network Map. This includes both a greenway trail set aside for recreational and preservation purposes along the creek, and standard shared-use paths.

Exhibit G: Comprehensive Plan 2024: Future Trail Map

- The CM-zoned portion along County Line Road will offer potential for retail, dining, and services to the surrounding residential areas. While specific development plans for this section are not available at this time, Planning Staff supports this zoning. It is critical that this is done appropriately to minimize the

negative impacts of commercial areas on residential zones. However, if executed correctly, this will provide the neighborhood with a vibrant area and services for the residents moving into the new homes.
Exhibit E: Comprehensive Plan 2024: Future Land Use Map

Impact on Services:

- The development is expected to have minimal impact on municipal services, including fire, police, and infrastructure. While this development will not individually trigger budget increases, the cumulative effect of nearby projects may result in future service adjustments or additional expenditures.

Planning Staff **recommends favorable approval** of the annexation **and** zone map change from AR to RM and CM with commitments. This recommendation is based on the project's alignment with the comprehensive plan and future land use designations, as well as its contribution to balanced, sustainable growth.

To ensure that the commercial development is appropriate with adjacent residential uses, staff recommends the following commitments:

RM and CM Portion:

1. Trails shall be developed in accordance with Exhibit G: Comprehensive Plan 2024: Future Trail Map
2. Require a minimum of two pedestrian crossings over Grubbs Ditch (Planning staff would be supportive of an Advisory Plan Commission waiver for vehicular connectivity between the residential and commercial uses over Grubbs Ditch if adequate pedestrian facilities are provided).

CM Portion:

1. Businesses may not operate between the hours of 12:00 AM and 6:00 AM to reduce noise and light pollution on residential uses.
2. Primary vehicular access shall be from either Five Points or County Line Road, not through residential neighborhoods.
3. A shared parking agreement shall be required between commercial tenants to reduce the overall number of parking spaces.
4. No Electronic Variable Message Signs (EVMS) or illuminated signage facing the residential areas south of Grubbs ditch shall be permitted.
5. The building elevations facing Grubbs Ditch shall be considered front elevations.
6. A pedestrian walkway shall be provided on the south side of the commercial buildings, adjacent to Grubbs Ditch, ensuring connectivity to the residential areas.
7. Pedestrian pathways along the creek shall be lit with decorative pedestrian scaled lighting.
8. Any eating or drinking establishment shall be required to provide outdoor seating that faces the creek. Outdoor dining areas should include landscaping and/or hardscaping feature that complement the environment.

Petitioner Proposed Rezoning Commitments:

1. Vinyl siding shall be prohibited.
2. When the real estate is improved, UDO requirements as amended, inclusive of landscaping, pedestrian facilities, right-of-way dedication, connectivity, stormwater, parking requirements, etc., will be incorporated.
3. All single-family structures shall follow Single-Family Residential Building Design Standards unless a variance is obtained for a standard.
4. A trail shall be developed and constructed along Grubbs Ditch.
5. A traffic study shall be completed.
6. The proposed east-west road shall be public right-of-way and have connections to both Five Points Road and stub to the west property line.
7. Road improvements shall be completed in coordination with the City Engineer.
8. The following uses shall be prohibited in the CM zoned area:
 - a. Any use in the "Automotive Retail" category
 - b. Any use in the "Automotive Services" category
 - c. Crematorium
 - d. Overnight Lodging - Extended Stay

- e. Overnight Lodging - Hotel
- f. Shooting Range
- g. Dwelling - Multi-Unit Building
- h. Dwelling - Multi-Unit Building Complex
- i. Tattoo Services

Attachments:

Exhibit A: Annexation Location Map

Exhibit B: Zoning Map (Greenwood)

Exhibit C: Marion County Zoning Map

Exhibit D: Johnson County Zoning Map

Exhibit E: Comprehensive Plan 2024: Future Land Use Map

Exhibit F: Comprehensive Plan 2024: Future Transportation Map

Exhibit G: Comprehensive Plan 2024: Future Trail Map

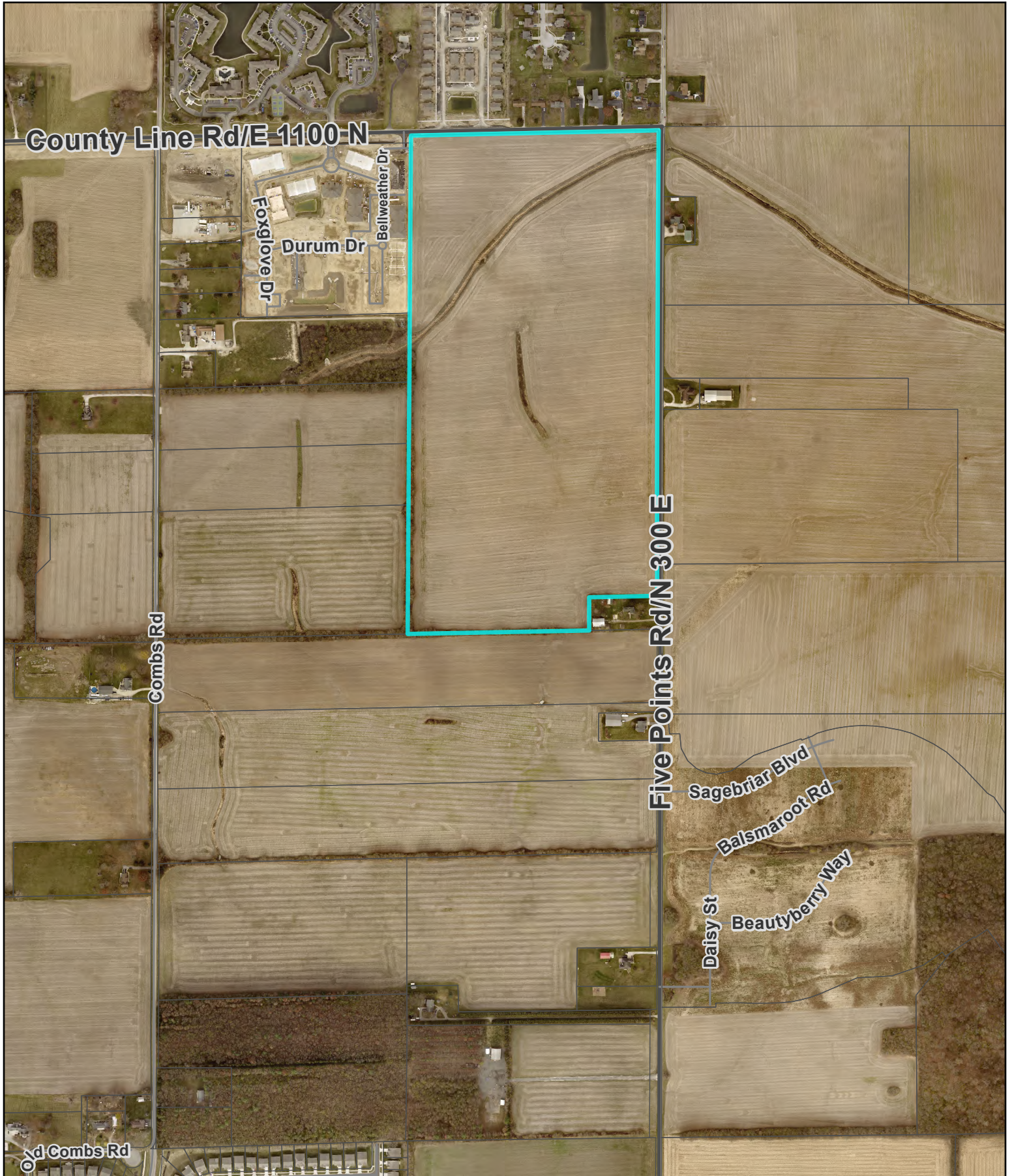
Exhibit H: Legal Description

Exhibit I: Proposed Concept Plan Sketch

Exhibit J: Attachment A: Detailed Statement of Reasons for Annexation including Zone Map Change

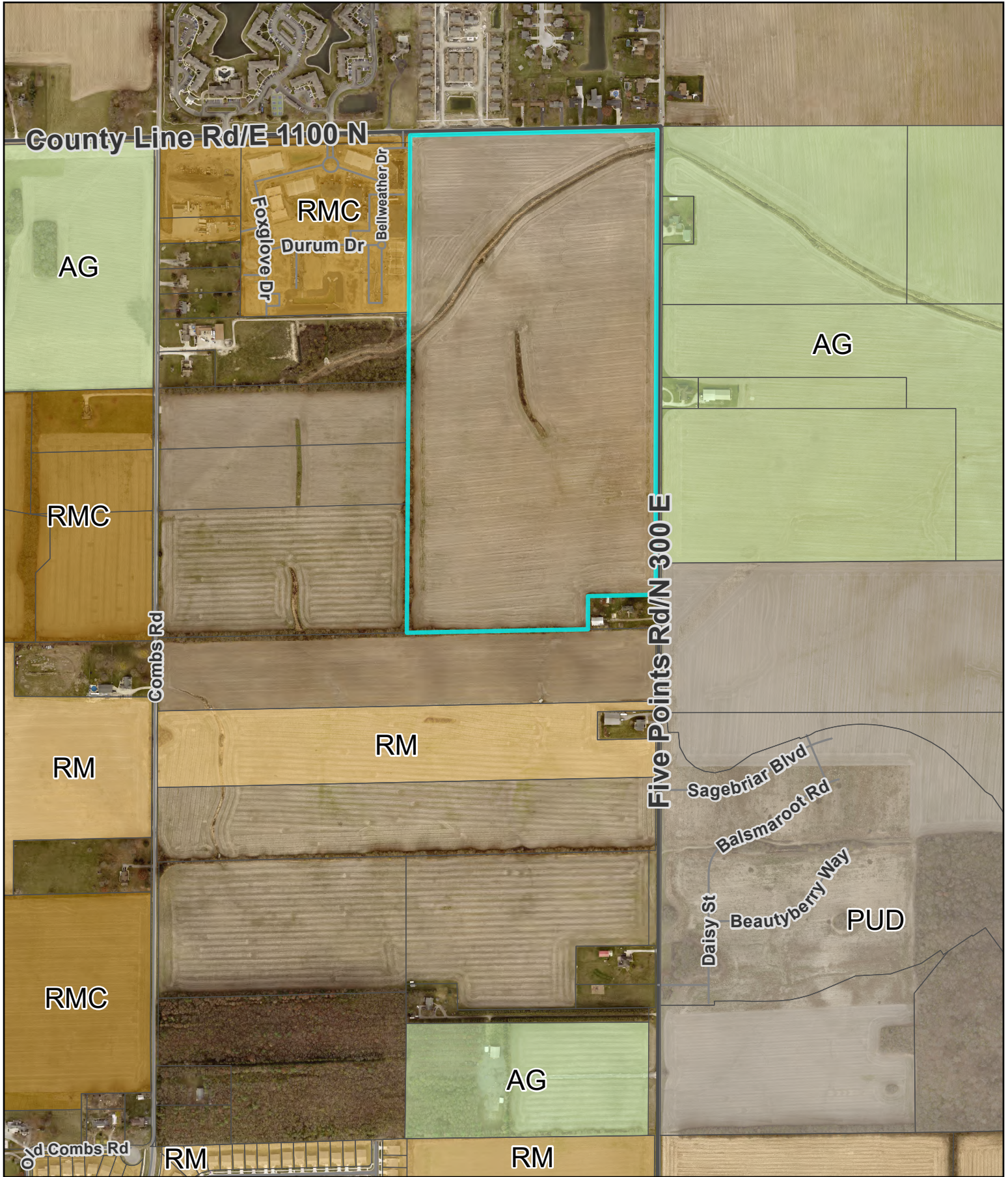
Aerial Map

Exhibit A: Annexation Location Map



Existing Zoning Map

Exhibit B: Zoning Map (Greenwood)



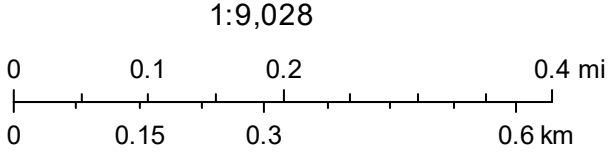
AC - Airport	IC - Interstate Commercial	OS - Open Space	RMC - Residential Multi-Unit Complex
AG - Agriculture	IL - Industrial Large	PUD - Planned Unit Development	RMH - Residential Mobile Home
CL - Commercial Large	IM - Industrial Medium	RL - Residential Large Lot	
CM - Commercial Medium	OT - Old Town	RM - Residential Medium Lot	
CS - Commercial Small	OTR - Old Town Residential	RA - Residential Attached Single-Family	





10/22/2024

... Zoning

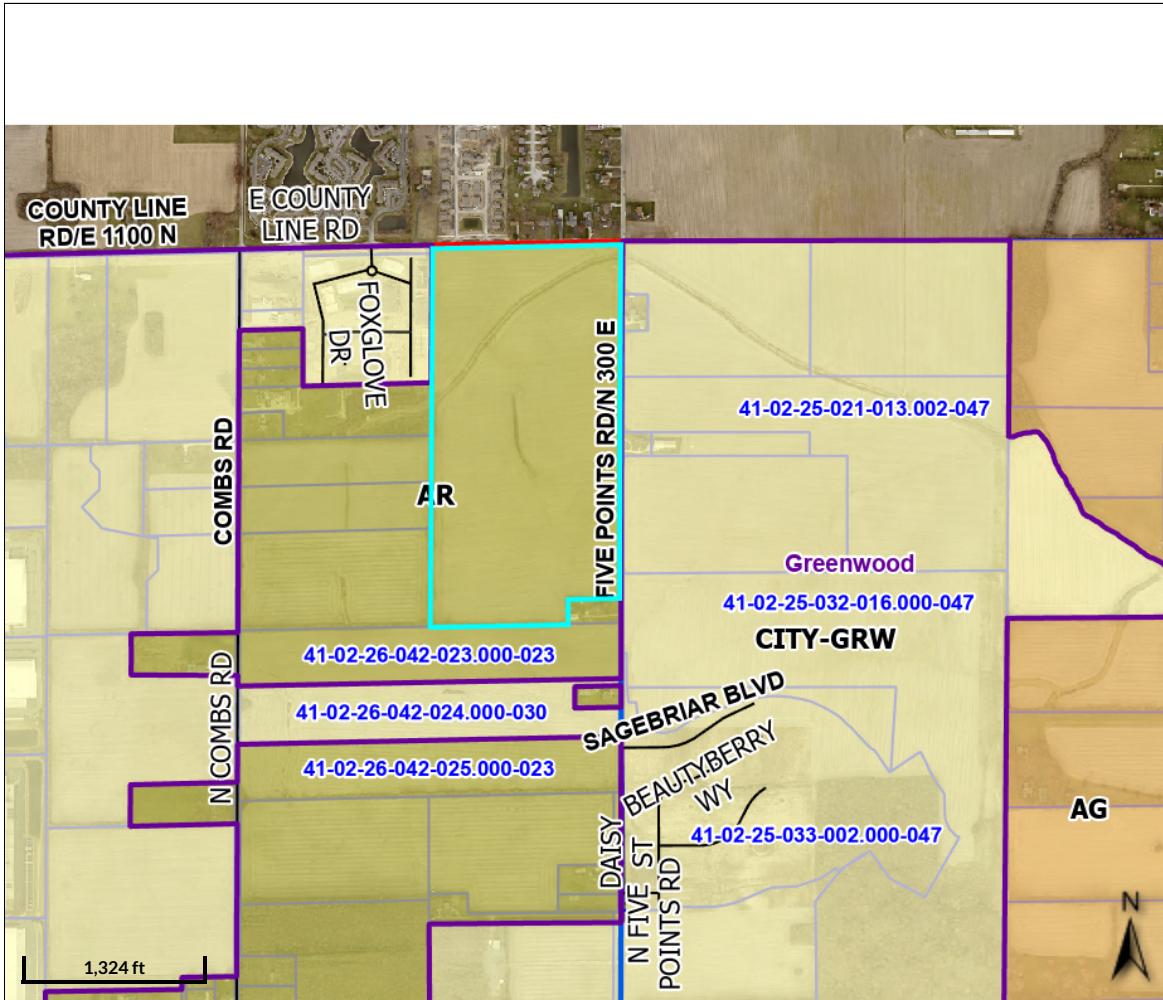




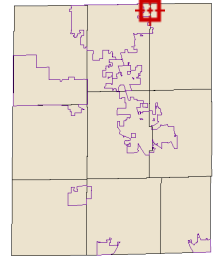
Beacon™

Johnson County, IN

Exhibit D: Johnson County Zoning Map



Overview



Legend

- Cities
- Parcels
- Roads
 - ACCESS RAMP
 - HIGHWAY
 - INTERSTATE
 - LOCAL
 - MAJOR ARTERIAL
 - MAJOR COLLECTOR
 - MINOR ARTERIAL
 - MINOR COLLECTOR
 - PRIVATE ROAD
- County Zoning
 - AG, Agricultural
 - AR, Agricultural / Residential
 - GC, General Commercial
 - HC, Heavy Commercial
 - BUF-EDB, Buffer
 - CITY, City Limits
 - IN, Industrial
 - MIL, Military
 - PUD, Planned Unit
 - SR, Single-Family Dwelling Residential
 - DR, Duplex Residential
 - MR, Multi-Family Dwelling Residential
 - MH, Manufactured Home Park
 - PR, Parks and Recreation

FIGURE 5.1: FUTURE LAND USE MAP

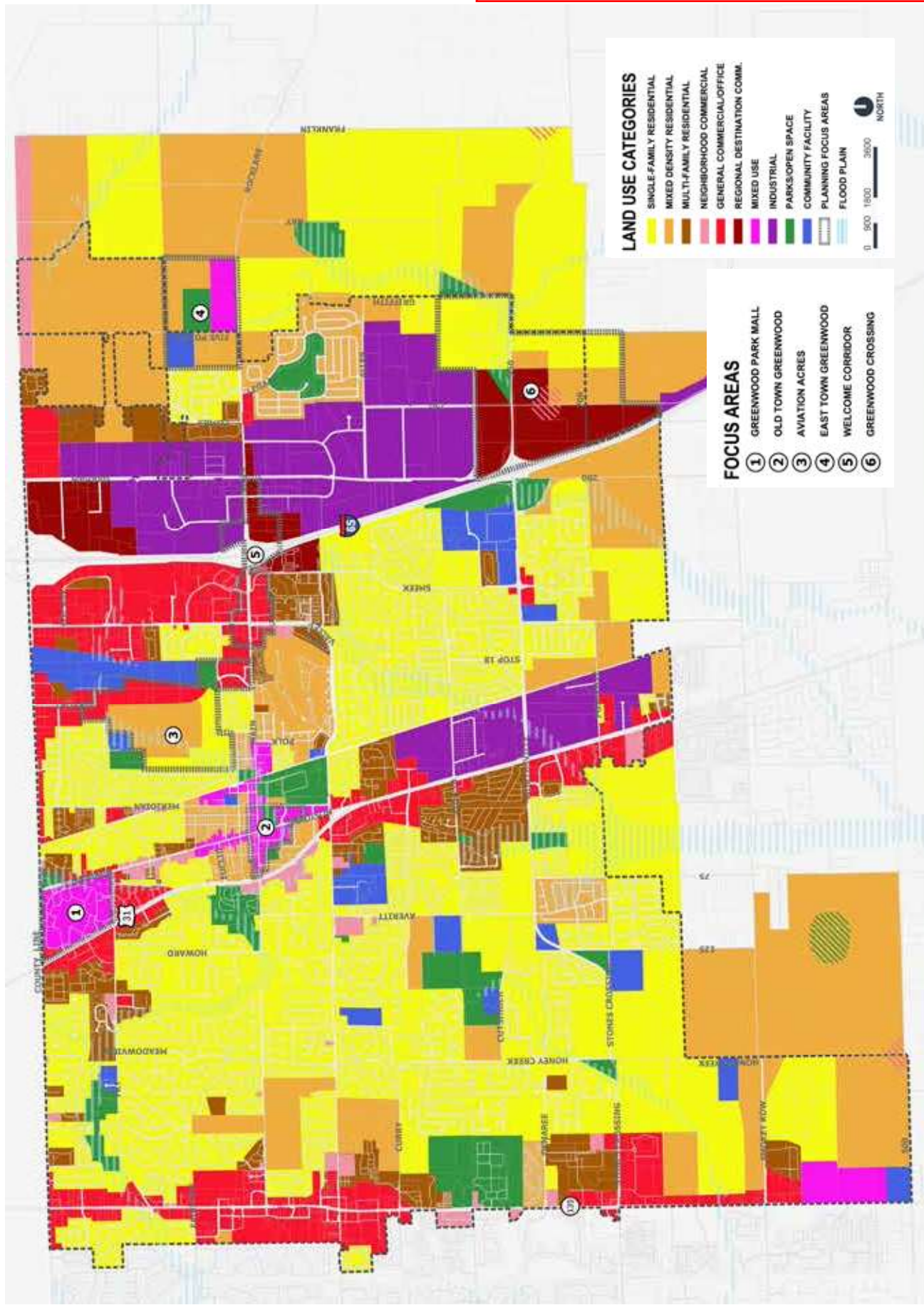


FIGURE 6.1: FUTURE THOROUGHFARE MAP AND INTERSECTION IMPROVEMENTS

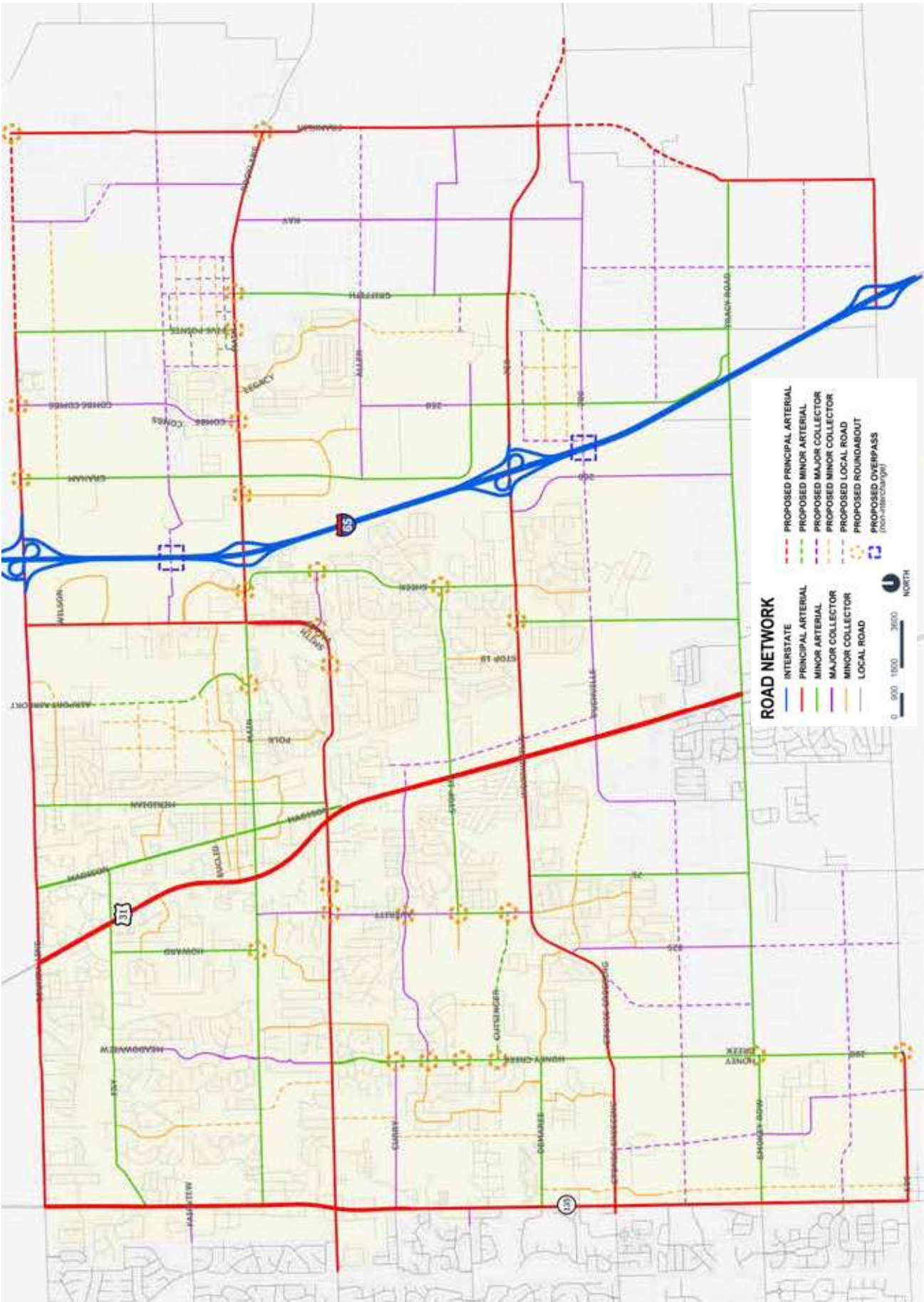




FIGURE 7.1: FUTURE TRAIL NETWORK MAP

LEGAL DESCRIPTION

LAND DESCRIPTION – WHOLE PARCEL

A PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN IN JOHNSON COUNTY, INDIANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID EAST HALF; THENCE ALONG THE EAST LINE THEREOF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 2497.54 FEET TO A POINT BEING 177.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID EAST HALF; THENCE PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF SOUTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 376.60 FEET; THENCE PARALLEL WITH THE EAST LINE OF SAID EAST HALF SOUTH 00 DEGREES 18 MINUTES 57 SECONDS WEST 177.00 FEET TO THE SOUTH LINE OF SAID EAST HALF; THENCE ALONG SAID SOUTH LINE SOUTH 88 DEGREES 30 MINUTES 59 SECONDS WEST 963.74 FEET TO THE SOUTHWEST CORNER OF SAID EAST HALF; THENCE ALONG THE WEST LINE OF SAID EAST HALF NORTH 00 DEGREES 13 MINUTES 41 SECONDS EAST 2677.17 FEET TO THE NORTHWEST CORNER OF SAID EAST HALF; THENCE ALONG THE NORTH LINE OF SAID EAST HALF NORTH 88 DEGREES 38 MINUTES 02 SECONDS EAST 1344.36 FEET TO THE **POINT OF BEGINNING**, CONTAINING 80.89 ACRES, MORE OR LESS.



SITE DATA	
EXISTING SITE ZONING	PROPOSED
GROSS SITE AREA	88.88 AC +/-
ZONING AG	RM
PROPOSED STREET CENTERLINE	6,821 +/-
COMMON AREA	
OPEN SPACE	33.79 AC +/-
NORMAL POOL AREA	4.9 AC +/-
TOTAL COMMON AREA	15.38 AC +/-
TOTAL LOTS	135
OVERALL DENSITY (Total lots/Gross site area)	2.1 LOTS/AC
LOT STANDARDS	
SINGLE FAMILY HOMES BY TYPE	
NUMBER OF LOTS BY:	89
NUMBER OF LOTS BY:	86
TOTAL SINGLE FAMILY HOMES	135
PROPOSED MINIMUM LOT AREA	2,700 SF
PROPOSED MINIMUM FRONT SETBACK	35'
PROPOSED MINIMUM SIDE YARD SETBACK	10'
PROPOSED MINIMUM REAR YARD SETBACK	20'
PROPOSED BUILDING PAD SIZE TOTAL	47 X 77 & 87 X 77
TYPICAL RIGHT-OF-WAY WIDTH	80'
ON-SITE STREETS	80'

SITE DATA	
EXISTING SITE ZONING	PROPOSED
GROSS SITE AREA	15.38 AC +/-
ZONING AG	CM

City of Greenwood Plan Commission

Attachment A: Detailed Statement of Reasons for Annexation including Zone Map Change

Project Leatherwood Trails Docket

Attachment A – Part I

Petition Information – Common Council Annexation Criteria

In addition to determining whether the annexation will be in harmony with, and further the goals of, the City's comprehensive plan, the Plan Commission is directed by the Common Council to consider the following criteria in their evaluation of the annexation petition (note: **Criteria 1-7 are taken from Greenwood Common Council Resolution No. 86-2, as may be amended from time to time. The resolution further states that, "One or more criteria are deemed sufficient to warrant annexation, voluntary, or to deny voluntary annexation."**):

1. The area proposed for annexation has a unity of interest with the municipality. That is, the area must be part of the urban community, having geographic, social, and/or economic ties with the City. Describe:

It is a corner of the current City boundary that is not annexed but should be based on surrounding parcels already annexed into the City. It is very clearly geographically tied with the City. The area proposed for annexation is directly adjacent to a Residential Multi-Unit Complex zoning district within City limits. Additionally, Grubbs Ditch traverses this area proposed for annexation and also through the property directly adjacent to the east, which has already been annexed into the City.

2. The advantages to the proposed annexation area outweigh the disadvantages in the following ways:

The advantages to the proposed annexation area include allowing the property to develop to a higher use as a residential development, and as a larger development with more people living in the area. Receiving and connecting to City utilities and services and adding trails and sidewalks for current City residents in this area would benefit the area. Petitioner does not project any disadvantages to this annexation occurring.

3. The advantages to the City outweigh the disadvantages in the following ways:

Proposed property tax revenues from developing this parcel would be many multiples of its existing property taxes. The annexation and development also bring needed connectivity to this northeast corner of the City, including trails, sidewalks, and roadway improvements. Additional advantages include providing for a larger number of homes for people employed within City limits and filling a current gap in the City's jurisdictional boundary.

4. The city desires to annex the area in the following ways:

Connectivity, roadway improvements, open spaces and trails added, squaring off an existing corner of the City's corporate boundary, and is a prime area for retail expansion on the northeast side of the City. Additionally, the proposed future development fits with the existing residential area to the north in Marion County and with the future residential development to the west within City limits.

5. The annexation will help to square City corporate limits in the following ways:

The proposed annexation area is currently a carve out inside the City's current corporate limits. The majority of the City is west and south of this area, however, the property directly to the east across N. Five Points Road has already been annexed, leaving this property as a carve out. The proposed annexation area is directly adjacent to City limits on both its west and east sides.

6. The annexation will foster growth and prosperity of the annexing city in the following ways:

The annexation will add needed housing to the City and the potential neighborhood retail along County Line Road will bring vitality and requested services to City residents where none exist currently. Additionally, existing roadways and connectivity will be improved with the annexation, and open space and recreation will be fostered by the proposed development.

7. The annexation will prevent or solve a public health problem(s); or otherwise promote the health, safety, and welfare of the general public in the following ways:

Both traffic flow and connectivity will be improved by the annexation which will lead to higher safety levels for the general public. Additionally, the paved walking trails, playground, sport court, and other open space amenity areas proposed for the development promote physical fitness, outdoor exercise, and a general overall healthier lifestyle.