

ORDINANCE NO. 2018-30

**AN ORDINANCE AMENDING ZONING MAPS WITHIN THE ZONING ORDINANCE
OF THE TOWN OF WHITESTOWN, INDIANA**

Zoning Map Amendments
PC18-046-ZA

WHEREAS, the Petitioner, Town of Whitestown, filed its Zoning Amendment Application before the Whitestown Plan Commission seeking to rezone approximately 135 acres, more or less, in the Town of Whitestown, Indiana, **from the I-1 (Light Industry Zoning Classification to the GB (General Business) Zoning Classification;** and

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Whitestown Plan Commission conducted the required public hearing and determined no recommendation, by a 3-0 vote, on November 5, 2018; and

WHEREAS, the Whitestown Plan Commission certified favorable recommendation to the Whitestown Town Council on November 5, 2018; and

WHEREAS, pursuant to Indiana Code § 36-7-4-608, the Town Council of the Town of Whitestown, having considered the application and the recommendation of the Whitestown Plan Commission, now adopts the proposal and approves the requested rezoning amendment.

IT IS THEREFORE CONSIDERED, ORDAINED, AND ADOPTED as follows:

Section 1. That the Applicant is Town of Whitestown.

Section 2. That the Applicant seeks to have the following described property attached hereto as Exhibit A, which is currently located in the I-1 (Light Industry) Zoning Classification to the GB (General Business) Zoning Classification;

Section 3. That the Town Council of Whitestown has paid 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.

Section 4. That the Town Council hereby adopts/rejects the proposal of the Whitestown Plan Commission as certified, and hereby adopts/rejects. The Proposed Zoning Amendment.

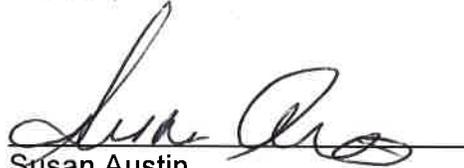
Section 5. This Ordinance shall be in full force and effect from and after its passage and upon presentation of proof by Petitioner to the Town that this Ordinance and the Commitments have been recorded.

ALL OF WHICH IS ADOPTED this 8 day of November, 2018, by the Town Council of the Town of Whitestown, Indiana.

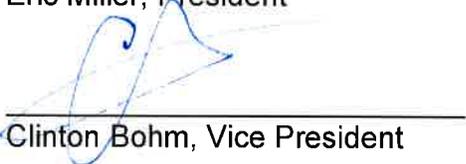
TOWN COUNCIL OF WHITESTOWN, INDIANA.



Eric Miller, President



Susan Austin



Clinton Bohm, Vice President



Jeff Wishek



Kevin Russell

ATTEST:



Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Brittany Garriott, Town Planner

Exhibit A

Legal Description



Staff Report PC18-046-ZA

Maurer Property - Zoning Amendment

Docket PC18-046-ZA- Zoning Amendment- Maurer Property. The petitioner is requesting approval for a zoning amendment from I-1 zoning to GB General Business. The subject property contains approximately 135 +/- acres located off of Indianapolis Road; The petitioner is Town of Whitestown and the property owner(s) is Wrecks INC.



Proposed Development

The approximately 135+/- acre Site is located off of Indianapolis Road. Petitioners seek to rezone the Site to the General Business to allow for mixed use development. The requested rezoning and proposed uses are compatible with the Comprehensive Plan which designates this area a civic use. Area A set to house the Little League Headquarters, to open in the spring of 2020. Area B, a five-acre plot is the site for a new fire headquarters planned to open in 2019. Areas C and D will be the future Maurer Commons development. A proposed mixed-use development, to include a convention center, sports complex, amphitheater, outdoor farmers' market space, and more.

Staff Comments

1. The rezoning process is a legislative act. The Plan Commission will make a recommendation to the Town Council who then has the final say. Because this is a legislative act, the Plan Commission can require that certain commitments be made part of the rezoning and then run with the land.
2. Before being further developed, the project will require Subdivision approval and/or Development Plan approval by the Plan Commission.
3. The Plan Commission should maintain and enforce the Unified Development Ordinance in order to achieve the goals of the Comprehensive Plan.
4. The proposed GB zoning allows a variety of uses and specific setback, landscaping and bufferyard requirements.
5. The Plan Commission should ensure that the goals of the Comprehensive Plan and the Transportation Plan are met. Commitments such as the following should be contemplated:
 - a. All appropriate permit applications will be acquired at the time of any remodel or additional construction.
 - b. Any unpaved parking or outside storage is not approved through this rezone.

Decision Guidelines

Per the UDO Section 9.2.E.3.a the WPC and the Town Council shall pay reasonable regard to the following five decision criteria when taking action on all rezoning requests:

- the Comprehensive Plan;
- the 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 Jurisdictional Area; and
- responsible development and growth.

Staff Recommendation

Staff recommends the WPC gives favorable recommendation to Whitestown Town Council regarding the rezone for PC18-046-ZA.