ORDINANCE NO. 2025-11

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF WHITESTOWN, INDIANA

Text Amendments PC25-027-TA

WHEREAS, the Petitioner, Brown Capital Group Contracts, LLC, filed an PUD Text Amendment Application before the Whitestown Plan Commission seeking to modify the text in the Bridle Oaks/ Clark PUD Ordinance (Ordinance #2020-12); and

WHEREAS, the proposed text amendments to the Bridle Oaks/Clark PUD Ordinance (Ordinance #2020-12) is attached as **Exhibit A**; and

WHEREAS, pursuant to Indiana Code § 36-7-4-607, the Whitestown Plan Commission conducted a public hearing and determined its favorable recommendation on the proposed amendments, by a 7-0-0 vote, on December 9, 2024; and

WHEREAS, the Whitestown Plan Commission certified a favorable recommendation to the Whitestown Town Council on May 12, 2025; and

WHEREAS, pursuant to Indiana Code § 36-7-4-607, the Town Council of the Town of Whitestown, having considered the proposals and the recommendation of the Whitestown Plan Commission, now adopts the proposal and approves the text amendments, all as hereinafter set out.

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

- Section 1. The Whitestown Plan Commission seeks to generally amend the text of the Bridle Oaks/ Clark PUD Ordinance (Ordinance #2020-12) to modify the commitments set forth in Exhibit A. A legal description that relates to the text amendment is attached as Exhibit B. Conditions of the amendment are attached as Exhibit C. And the Presentation presented at the Plan Commission meeting is Exhibit D. Exhibit A, Exhibit B, Exhibit C and Exhibit D are attached and incorporated herein by reference.
- **Section 2**. 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 3**. That the Town Council hereby adopts the proposed amendments of the Bridal Oaks/Clark PUD Ordinance, and hereby adopt the revisions set forth in **Exhibit A** as text amendments to the Bridal Oaks/Clark PUD Ordinance.

All other provisions of the Bridal Oaks/Clark PUD Ordinance not otherwise specifically amended in **Exhibit A** remain in full force and effect.

- **Section 4**. The terms or provisions of other ordinances in conflict with the terms or provisions hereof, if any, are hereby superseded. The terms, paragraphs, sentences, words, and acts of this Ordinance and the UDO are separable, and if a court of competent jurisdiction hereof declares and portion of this Ordinance or UDO unconstitutional, invalid, and unenforceable for any reason, such declaration shall not affect the remaining portion or acts hereof and the court shall substitute such provisions or acts with a constitutional, valid, and enforceable provision or act as would be necessary to effectuate the enforceability of the applicable provision.
- <u>Section 5</u>. This Ordinance shall be in full force and effect from and after its passage as provided by applicable law.

ALL OF WHICH IS ADOPTED this _____ day of _____, 2025, by the Town Council of the Town of Whitestown, Indiana.

TOWN COUNCIL OF WHITESTOWN, INDIANA.

Dan Patterson, President

Courtenay Smock

Eric Nichols, Vice President

Cheryl Hancock

Tobe Thomas

ATTEST:

Matt Sumner, Town Clerk-Treasurer

Ordinance prepared by Allan Henderson, Planning Administrator

Exhibit A

Bridal Oaks/ Clark PUD Ordinance Text Amendment

Original Text

SECTION 2.3. USES. The following shall be permitted uses and accessory uses, in substantial compliance with the Concept Plan attached hereto as Exhibit 3 (the "Concept Plan"), as follows:

A MIXED USE AND RESIDENTIAL AREA. Commercial uses permitted in the Mixed Use and Residential Area shall include uses permitted in the GB District and shall also include: general offices, dental offices, banks/financial institutions, restaurants, drug stores, gasoline/fuel service stations, a hospital complex or hospital campus, which may include in-patient and out-patient facilities, day care, skilled nursing care, and medical-related research facilities. Residential uses permitted in the Mixed Use and Residential Area shall include uses permitted in the MF District and shall also include: assisted living facilities, attached senior living garden homes, duplexes, townhomes. Prohibited uses in the Mixed Use and Residential

Area shall include self-service car wash, tattoo parlor, tobacco shop, billiard parlor, cemetery monument sales, large truck and trailer sales/rental.

Modified Text

SECTION 2.3. USES. The following shall be permitted uses and accessory uses, in substantial compliance with the Concept Plan attached hereto as Exhibit 3 (the "Concept Plan"), as follows:

A MIXED USE AND RESIDENTIAL AREA. Commercial uses permitted in the Mixed Use and Residential Area shall include uses permitted in the GB District and shall also include: general offices, dental offices, banks/financial institutions, restaurants, drug stores, gasoline/fuel service stations, a hospital complex or hospital campus, which may include in-patient and out-patient facilities, day care, skilled nursing care, and medical-related research facilities. Residential uses permitted in the Mixed Use and Residential Area shall include uses permitted in the MF District and shall also include: assisted living facilities, attached senior living garden homes, duplexes, townhomes, and residential above first floor retail. Prohibited uses in the Mixed Use and Residential Area shall include self-service car wash, tattoo parlor, tobacco shop, billiard parlor, cemetery monument sales, large truck and trailer sales/rental.

Exhibit B Legal Description

PARCEL ONE:

THE FOLLOWING DESCRIBED REAL ESTATE IN BOONE COUNTY, IN THE STATE OF INDIANA:

THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19;THENCE SOUTH 00 DEGREES 23 MINUTES 55 SECONDS EAST, ALONG THE SECTION LINE, A DISTANCE OF 655.19 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 46 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19. A DISTANCE OF 1324.17 FEET; THENCE SOUTH 00 DEGREES 08 MINUTES 10 SECONDS EAST, ALONG THE QUARTER-QUARTER SECTION LINE, A DISTANCE OF 657.49 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 57 SECONDS WEST, ALONG THE QUARTER-QUARTER SECTION LINE, A DISTANCE OF 888.31 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 24 SECONDS WEST, ALONG THE EAST LINE OF THE HASHMAN PROPERTY AS RECORDED IN DEED RECORD 247, PAGE 788 AND SAID LINE EXTENDED, A DISTANCE OF 678.17 FEET; THENCE SOUTH 88 DEGREES 47 MINUTES 46 SECONDS WEST, ALONG AN EXISTING FENCE LINE AND THE EXTENSION THEREOF, A DISTANCE OF 431.81 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 28 SECONDS EAST, ALONG THE OUARTER SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 650 EAST, A DISTANCE OF 640.57 FEET; THENCE NORTH 88 DEGREES 53 MINUTES 37 SECONDS EAST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 2642.26 FEET TO THE POINT OF **BEGINNING CONTAINING 53.1810 ACRES.**

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY.

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 07 MINUTES 28 SECONDS WEST, ALONG THE QUARTER SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 650 EAST, A DISTANCE OF 640.57 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 47 MINUTES 46 SECONDS EAST, A

DISTANCE OF 431.81 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 24 SECONDS EAST, A DISTANCE OF 184.75 FEET; THENCE SOUTH 88 DEGREES 43 MINUTES 33 SECONDS WEST, ALONG THE NORTH DESCRIBED LINE OF THE HASHMAN PROPERTY AS RECORDED IN DEED RECORD 247, PAGE 788, A DISTANCE OF 123.11 FEET; THENCE NORTH 05 DEGREES 48 MINUTES 42

SECONDS WEST, ALONG SAID HASHMAN PROPERTY, A DISTANCE OF 32.75 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 44 SECONDS WEST, ALONG THE NORTHERNMOST BOUNDARY OF SAID HASHMAN PROPERTY, A DISTANCE OF 307.16 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 28 SECONDS EAST, ALONG THE APPROXIMATE CENTERLINE OF COUNTY ROAD 650 EAST, A

DISTANCE OF 145.00 FEET TO THE POINT OF BEGINNING CONTAINING 1.5795 ACRES.

EXCEPTING THEREFROM: A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 2 EAST, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED AS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER, THENCE SOUTH 0 DEGREES 49 MINUTES 35 SECONDS EAST 655.22 FEET (655.19 FEET BY INSTRUMENT NUMBER 20100000995) ALONG THE EAST LINE OF SAID SECTION TO THE SOUTHEAST CORNER OF SAID HALF-QUARTER-QUARTER SECTION; THENCE SOUTH 88 DEGREES 21 MINUTES 11 SECONDS WEST 165.02 FEET ALONG THE SOUTH LINE OF SAID HALF-QUARTER-QUARTER SECTION; THENCE NORTH 0 DEGREES 49 MINUTES 35 SECONDS WEST 615.52 FEET; THENCE NORTHERLY 39.98 FEET ALONG AN ARC TO THE RIGHT HAVING A RADIUS OF 3,280.00 FEET AND SUBTENDED BY A LONG CHORD HAVING A BEARING OF NORTH 0 DEGREES 28 MINUTES 38 SECONDS WEST AND A LENGTH OF 39.98 FEET TO THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 27 MINUTES 04 SECONDS EAST 164.77 FEET ALONG SAID NORTH LINE TO THE POINT OF BEGINNING AND CONTAINING 2.482 ACRES, MORE OR LESS.

ALSO EXCEPTING THEREFROM: THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 2 EAST OF THE SECOND PRINCIPAL MERIDIAN, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 27 MINUTES 01 SECOND EAST ALONG THE NORTH LINE THEREOF 2,478.04 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3,280.00 FEET AND A CENTRAL ANGLE OF 00 DEGREES 41 MINUTES 58 SECONDS, THE RADIUS POINT OF WHICH BEARS NORTH 89 DEGREES 52 MINUTES 15 SECONDS EAST. SAID POINT BEING ON THE WEST LINE OF THE LAND OF THE BOONE COUNTY BOARD OF COMMISSIONERS FOR ALBERT S. WHITE DRIVE AS DESCRIBED IN INSTRUMENT NUMBER 2016005092 IN THE OFFICE OF THE RECORDER OF SAID COUNTY; THENCE SOUTHERLY ALONG SAID WEST LINE AND THE ARC OF SAID CURVE 40.04 FEET; THENCE SOUTH 00 DEGREES 49 MINUTES 43 SECONDS EAST ALONG SAID WEST LINE 615.51 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE NORTHEAST OUARTER OF SAID SOUTHEAST QUARTER; THENCE SOUTH 88 DEGREES 21 MINUTES 10 SECONDS WEST ALONG SAID SOUTH LINE AND ITS WESTERLY EXTENSION 1,210.02 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 267.50 FEET AND A CENTRAL ANGLE OF 26 DEGREES 50 MINUTES 22 SECONDS: THENCE WESTERLY AND SOUTHWESTERLY ALONG THE ARC OF SAID CURVE 125.31 FEET, THENCE SOUTH 61 DEGREES 30 MINUTES 48 SECONDS WEST 243.55 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 332.50 FEET AND A CENTRAL ANGLE OF 28 DEGREES 10

MINUTES 03 SECONDS; THENCE SOUTHWESTERLY AND WESTERLY ALONG THE ARC OF SAID CURVE 163.46 FEET; THENCE SOUTH 89 DEGREES 40 MINUTES 51 SECONDS WEST 347.99 FEET TO THE EAST LINE OF THE LAND OF POWDER HORN LLC AS DESCRIBED IN INSTRUMENT NUMBER 2021013628 IN SAID COUNTY RECORDS; THENCE ALONG THE EAST AND NORTH LINES OF SAID LAND THE FOLLOWING FOUR (4) COURSES: 1) NORTH 00 DEGREES 55 MINUTES 01 SECOND WEST 1.00 FOOT; 2) SOUTH 88 DEGREES 17 MINUTES 05 SECONDS WEST 123.11 FEET; 3) NORTH 06 DEGREES 15 MINUTES 19 SECONDS WEST 32.75 FEET; 4) SOUTH 89 DEGREES 42 MINUTES 39 SECONDS WEST 307.16 FEET TO THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 19 MINUTES 09 SECONDS WEST 785.57 FEET TO THE POINT OF BEGINNING, CONTAINING 41.233 ACRES, MORE OR LESS.

PARCEL TWO:

A PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 18 NORTH, RANGE 2 EAST, WORTH TOWNSHIP, BOONE COUNTY, INDIANA, MORE FULLY DESCRIBED BY:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 19; THENCE SOUTH 00 DEGREES 07 MINUTES 28 SECONDS WEST, ALONG THE QUARTER SECTION LINE AND THE APPROXIMATE CENTERLINE OF COUNTY ROAD 650 EAST, A DISTANCE OF 785.57 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 50 MINUTES 44 SECONDS EAST, A

DISTANCE OF 307.16 FEET; THENCE SOUTH 05 DEGREES 48 MINUTES 42 SECONDS EAST, A DISTANCE OF 32.75 FEET; THENCE NORTH 88 DEGREES 43 MINUTES 42 SECONDS EAST, A DISTANCE OF 123.11 FEET; THENCE SOUTH 00 DEGREES 28 MINUTES 24 SECONDS EAST, ALONG AN EXISTING FENCE LINE, A DISTANCE OF 493.41 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 57 SECONDS WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 19, A DISTANCE OF 206.41 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 28 SECONDS EAST, ALONG THE EAST DESCRIBED LINE OF THE OWENS PROPERTY, AS RECORDED BY DEED RECORD 187, PAGE 921, A DISTANCE OF 125.00 FEET; THENCE SOUTH 88 DEGREES 41 MINUTES 57 SECONDS WEST, ALONG THE NORTH DESCRIBED LINE OF SAID OWENS PROPERTY, A DISTANCE OF 232.50 FEET; THENCE NORTH 00 DEGREES 07 MINUTES 28 SECONDS EAST, ALONG THE QUARTER SECTION LINE, THE APPROXIMATE CENTERLINE OF COUNTY ROAD 650 EAST, A DISTANCE OF 409.03 FEET TO THE POINT OF BEGINNING; CONTAINING 4.5345 ACRES, MORE OR LESS.

Exhibit C Location Map

Exhibit C: Conditions

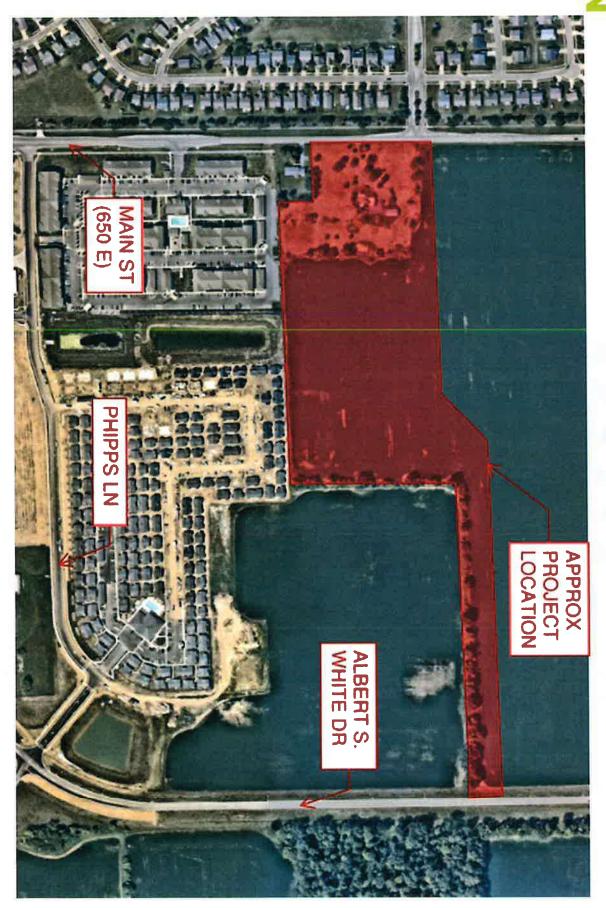
- 1) Signage on the commercial/retail buildings along Main Street will not cause light pollution for Walker Farms Residents.
- 2) Presentation materials are included with Ordinance.

Exhibit D Mills on Main Presentation

ARCHITEKING DESIGN	Whitestown Plan Commission - May 12, 2025 Docket #: PC25-025-PP PC25-026-CP PC025-027-TA	Brown Capital Group Mills on Main	
Kimley » Horn			

e

5



Project Aerial

Overall Information

Proposed Development Location:

Development Type:

Development Acreage:

Proposed Buildings:

Vehicular Parking:

3689 South Main Street

Mixed Use / Multi-Family

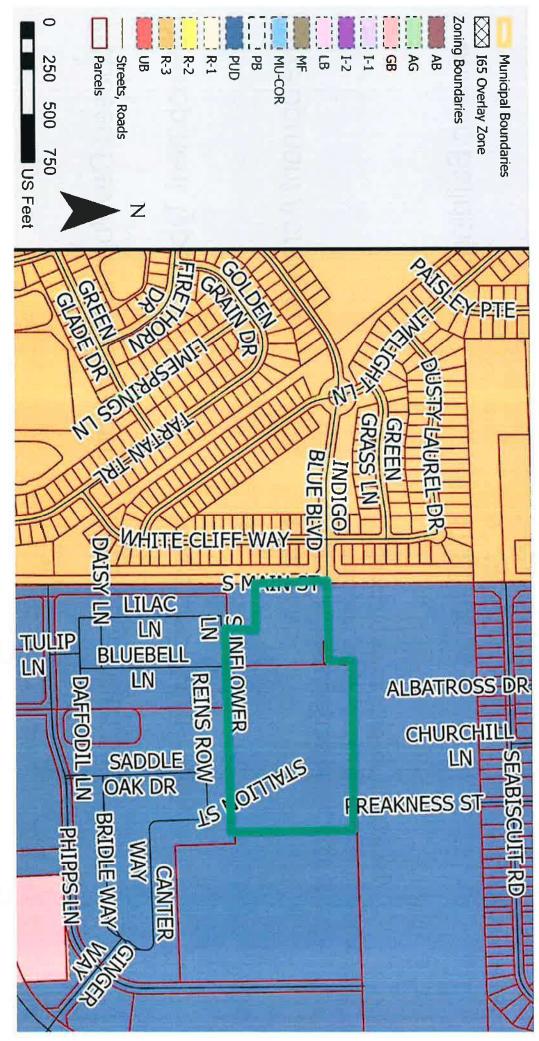
±15.59 ac

- 0.69 ac dedicated as public right of way
- Adjacent single-family developer has agreed to dedicate some land for right of way
- 17 Buildings
- 10, 3-story apartment buildings amenity center
- 1, 1-story Amenity Building
- 6, 1-story Garage Buildings

402 Parking Spaces

О.,

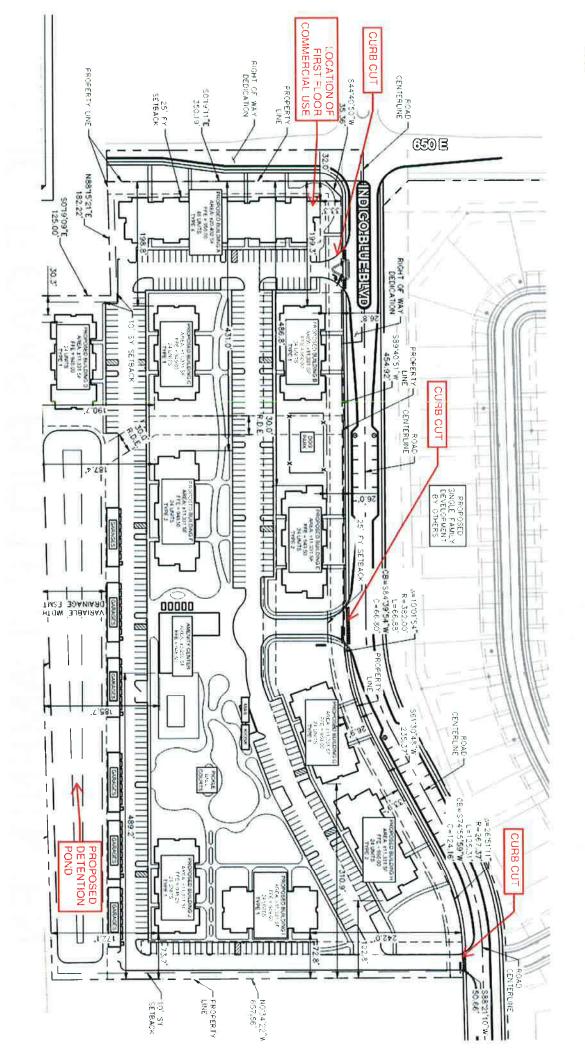
Bridle Oaks PUD – Mixed-Use & Residential Use



Zoning Map

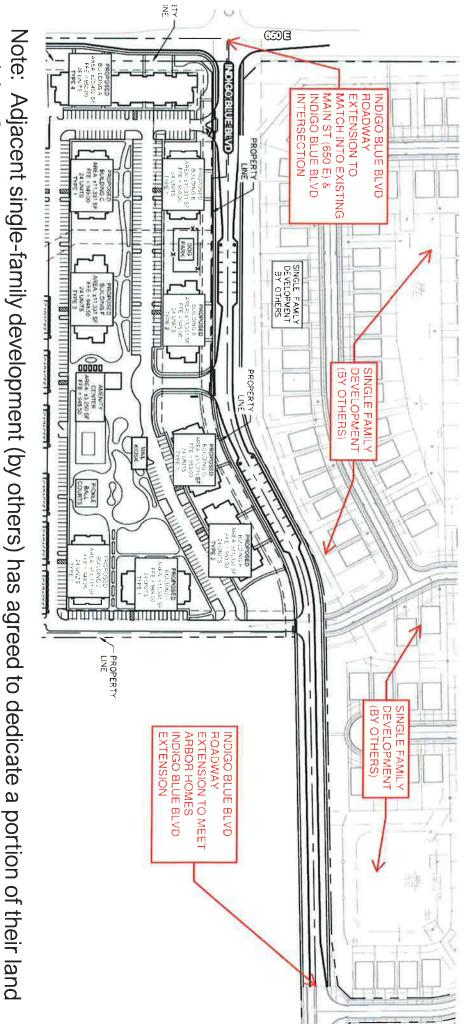
BRIDLE OAKS PUD TEXT AMENDMENT

living facilities, attached senior living garden homes, duplexes, townhomes, sales/rental. shop, billiard parlor, cemetery monument sales, large truck and trailer Residential Area shall include self-service car wash, tattoo parlor, tobacco and residential above first floor retail. Prohibited uses in the Mixed Use and include uses permitted in the MF District and shall also include: assisted Residential uses permitted in the Mixed Use and Residential Area shall



Site Plan

Z -----



as right of way for the Future Indigo Blue Blvd extension to be constructed as part of this project. Note: Adjacent single-family development (by others) has agreed to dedicate a portion of their land

Public Road Extension Plan

Building Masonry Percentage - 52

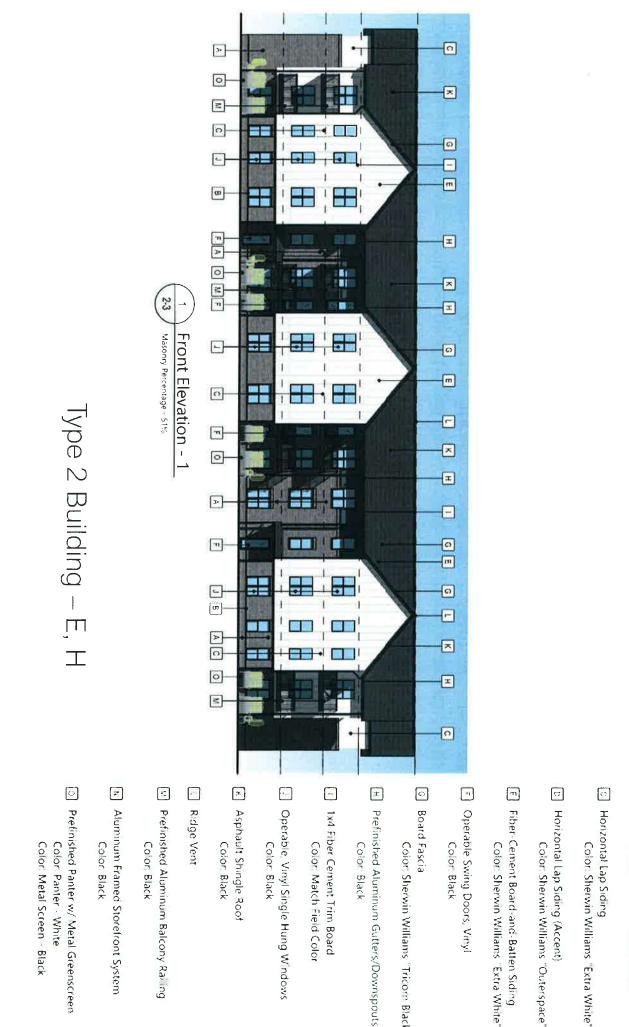


Building Material Key

A Unit Masonry Color: Brickcraft "Cedar Creek"

Brick Soldier Course Header/Sill

Building Masonry Percentage - 52



Building Material Key

A Unit Masonry Color: Brickcraft "Cedar Creek"

Arch Elevations

- B Brick Soldier Course Header/Sill
- Color: Brickcraft "Cedar Creek"
- Color: Sherwin Williams "Extra White"

- Color: Sherwin Williams "Tricorn Black"
- Prefinished Aluminum Gutters/Downspouts

Building Material Key

Arch Elevations

ト Unit Masonry Color: Brickcraft "Cedar Creek"

- œ Brick Soldier Course Header/Sill Color: Brickcraft "Cedar Creek"
- 0 Horizontal Lap Siding Color: Sherwin Williams Extra White"
- Ţ Horizontal Lap Siding (Accent) Color: Sherwin Williams "Outerspace"
- Fiber-Cement Board-and-Batten Siding Color: Sherwin Williams "Extra White"

m

Operable Swing Doors, Vinyl Color: Black

0

-

~

m

6

0

Ξ

×

Ξ

6

m

E

≍

Ξ

E 0

EG

-⊼

Ξ

0

-1

- © Board Fascia
- Color: Sherwin Williams "Tricorn Black"
- **H** Prefinished Aluminum Gutters/Downspouts Color: Black
- 1x4 Fiber Cement Trim Board Color, Match Field Color

Operable, Vinyl Single Hung Windows Color: Black

Asphault Shingle Roof

×

- Color, Black

- Prefinished Aluminum Balcony Railing
 - Ridge Vent

7

Aluminum Framed Storefront System

Color: Black

Color: Black

Prefinished Panter w/ Metal Greenscreen

Color: Metal Screen - Black Color: Panter - White

Type 3 Building – F

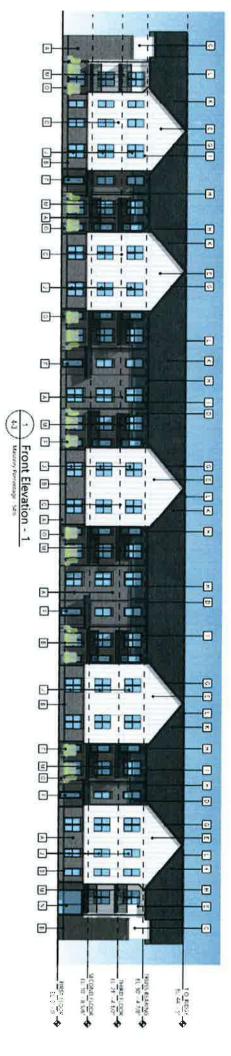
Building Masonry Percentage - 52

- 0 14 0 - 8 [] Þ M Front Elevation - 1 Masony Percentage - 52% 4 0 -0 -Þ -J B C × M O

2

3-3

Arch Elevations



Type 4 Building – A (Commercial Retail)

븝



Architectural Rendering



Architectural Rendering

Excerpts from Staff Report

SUCCESTED FINDINGS OF FACT

Plan meets other goals, objectives, and policies of the Comprehensive Plan includir designates this area for mixed-use and residential growth. The proposed Concept Process and aligns with the Land Use Map in the Comprehensive Plan which The proposed Concept Plan is in compliance with UDO 11.6 (C) Land Development

Staff is recommending approval of the Mills on Main Concept Plan; Docket PC25-026-CP

residential growth near the Legacy Core and connections to existing surrounding and policies of the Comprehensive Plan including encouraging sustainable area for residential growth. The proposed Primary Plat meets other goals, objectives, and aligns with the Land Use Map in the Comprehensive Plan which designates this The proposed Primary Plat is in compliance with UDO 9.2 (D) Subdivision Process residential communities

P Staff is recommending approval of the Mills on Main Primary Plat; Docket PC25-025-

aligns with the Comprehensive Plan which designates this Mixed Use and Residential growth The proposed PUD Ordinance Amendment is in compliance with UDO 11.10 (G) and

the Mills on Main development. Staff is providing a Favorable Recommendation for the Plan Commission to forward to the Town Council for the PUD Ordinance Amendment; Docket PC25-027-TA, for

Questions

Whitestown, IN

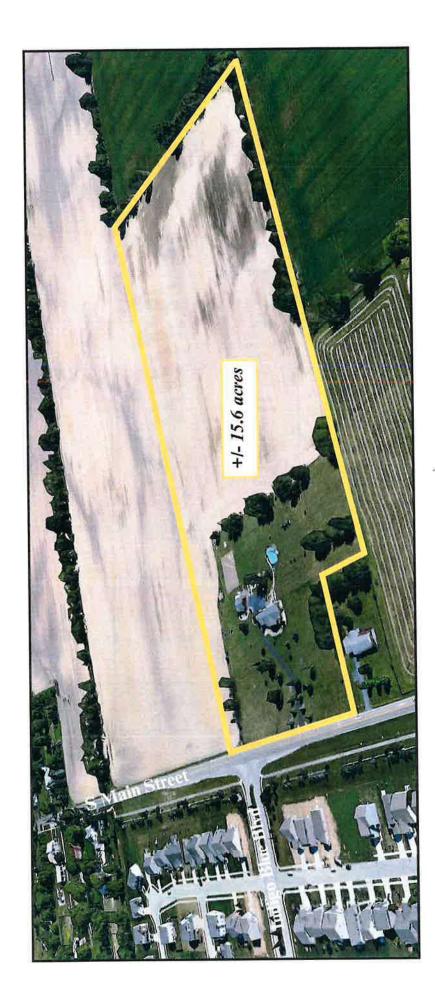


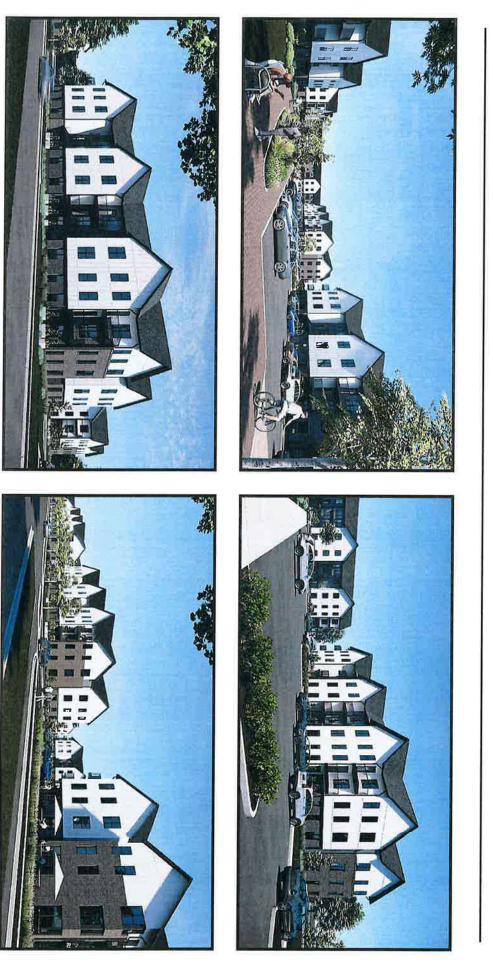
Mills on Main

Proposed Development

Development Plan

Site Location



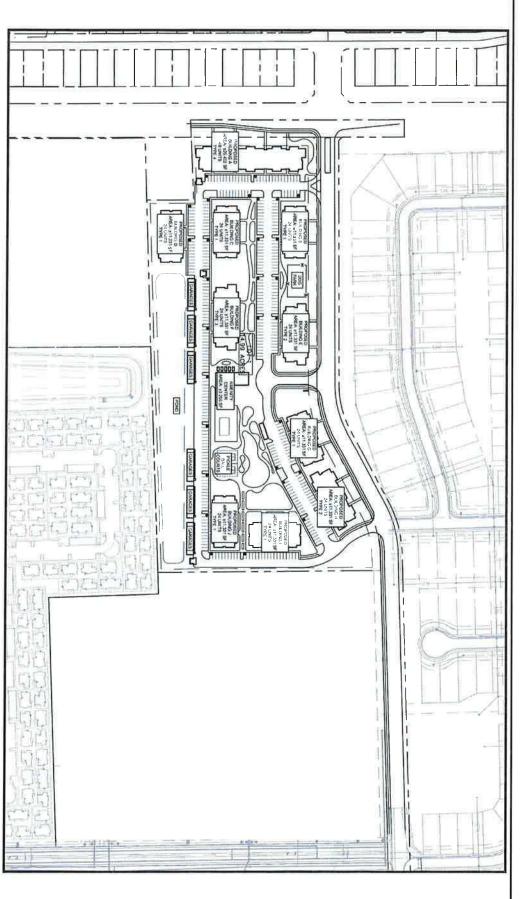


Project Renderings



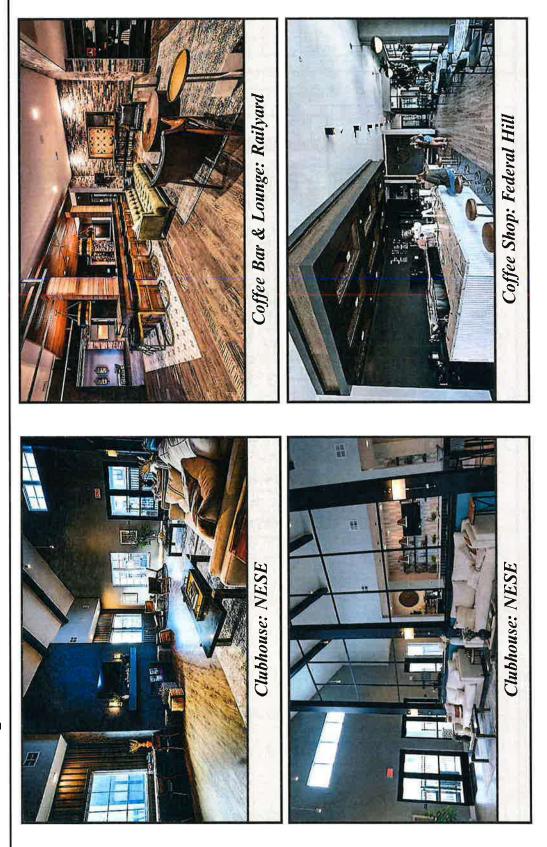






Clubhouse Inspiration











8.0

Retail Component



