

VA24-01; REZ24-01 & PUD24-03

Returned to the Plan Commission by the Common Council for Recommendation after April 9, 2025 meeting of the Common Council

VA24-01; REZ24-01 & PUD24-03 145 S. Morristown Pike McNeely Law LLP as applicant; William Eric Group, LLC as owner, request a zoning recommendation of “RL” Residential Low Density District & “PUD” Planned Unit Development District Zoning Designations for 36.33 acres +/- collectively upon Greenfield City Council annexation approval. The Property is not yet zoned.

ADDENDUM SUBMITTED May 13, 2025

REZ24-01 RL District

On January 14, 2025 the Plan Commission heard petition REZ24-01 for an RL District conditional Zoning Designation upon annexation of 6.76 acres of real estate located on the east side of Morristown Pike south of the Pennsy Trail and voted to send the rezoning to the Council with “No Recommendation”.

On April 9, 2025 the Council heard petition REZ24-01 for an RL District and amended the request for rezoning by requesting the following Commitment as a condition of approval:

“The petitioner shall install a driveway turnaround on each lot to avoid cars backing out onto Morristown Pike.”

Subsequently the Common Council sent the petition back to the Plan Commission for action on the amended request.

Proposed Conditions for Favorable Recommendation for the RL District conditional zoning upon annexation, subject to the Commitment below being reduced to writing on the City’s forms for recording prior to the Council hearing.

“The petitioner shall install a driveway turnaround on each lot to avoid cars backing out onto Morristown Pike.”

PUD24-03 Planned Unit Development

On February 11, 2025 the Plan Commission heard petition PUD24-03 for a PUD District conditional Zoning Designation upon annexation of 29.57 acres of real estate located on the east side of Morristown Pike south of the Pennsy Trail and voted to send the rezoning to the Council with a “Positive Recommendation”, subject to a list of Commitments in the PUD Statement.

On April 9, 2025 the Council heard petition PUD24-03 for a Planned Unit Development District and amended the request for rezoning by requesting the addition of the following Commitment to Section IV, 7 of the Development Statement:

“No more than twenty percent (20%) of the total number of dwellings to be constructed within the Development shall be rented out at any one time.”

Subsequently the Common Council sent the petition back to the Plan Commission for action on the amended request.

Proposed Conditions for Favorable recommendation for the PUD District conditional zoning upon annexation, subject to the additional commitment listed below being added to the Planned Unit Development S Section IV, 7.

“No more than twenty percent (20%) of the total number of dwellings to be constructed within the Development shall be rented out at any one time.”

SECTION IV. STATEMENT OF COMMITMENTS:

Open Space, Landscaping, and Screening Commitments

1. Open Space

- a. The open space shall be in conformance with the final development plan. All common open space shall be owned and maintained by the HOA.
- b. Recreational Trails will be connected to existing trail infrastructure.
- c. Active Recreation areas will be developed with community input, but will include a dog park to ensure residents have a safe and secure place to care for their pets and amenities to support and encourage use of the recreational paths.
- d. Ponds will be maintained by the HOA and any retention required for the Development not entirely on the Development site will have easements allowing for access and maintenance, for no less than twenty (20) feet from the top of the bank on all detention or retention areas.

2. Landscaping

- a. Landscaping will be installed along interior streets.
- b. Landscaping shall be provided in accordance with the applicable sections of the Unified Development Ordinance and the Greenfield Code of Ordinances. Landscaping species shall be consistent with the Unified Development Ordinance and the Greenfield Code of Ordinances, but the right to substitute based on material availability is reserved. A final landscaping plan and any modifications shall be approved by the appropriate parties.
- c. All landscaping shall be consistent with what is shown on the final development plan. Any substitutions due to plant availability must be similar in material and size. All common area landscaping shall be owned and maintained by the HOA.
- d. Street trees to be installed in yard (in lieu of tree lawn) to avoid utility conflicts if necessary. Developer shall use commercially reasonable efforts to relocate trees in the common areas if there are utility conflicts.
- e. Effort shall be made to preserve existing trees along adjacent to the development.

- f. A twenty (20) foot landscape buffer with evergreen and deciduous trees shall be placed along the southern boundary, outside of any easements.
- g. All lots shall provide a landscape package consisting of foundation plantings and at least one (1) lawn tree.

3. Fencing

- a. Fencing for lots that share a boundary with the golf course shall be wrought iron only.

4. Pedestrian Connections

- a. Pedestrian pathways will be installed within the community as noted on the Final PUD plan.
- b. Pedestrian pathways will be maintained by the HOA.

5. Shared Drives

- a. A maximum of 50% of dwellings may have connected driveways. A connected driveway is a driveway that is connected to the driveway of an adjacent unit and utilizes a single curb cut. An example can be seen on the elevation on the top left of page 14.

6. Membership Requirements

- a. At least one (1) occupant of each residence will be required to be a member of Hawk's Tail Golf Course.

7. Additional Commitments

- a. Variable front yard setbacks shall be provided on all streets.
- b. All house plans shall be submitted and architecturally approved by the Plan Commission, which approval shall not be unreasonably withheld.
- c. Except for dwellings owned by Petitioner or a related entity, no dwelling shall be rented within two (2) years after the initial or any subsequent sale of the dwelling in question.
- d. Petitioner will provide a Traffic Impact Study based upon the proposed Development prior to final Development Plan Approval.
- e. Short term rentals (AirBnB, VRBO, etc.) shall be prohibited within the Development.

- f. No dwelling shall be leased for a period of less than twelve (12) months unless in the case of a hardship, as determined by the HOA Board.
- g. No more than twenty percent (20%) of the total number of dwellings to be constructed within the Development shall be rented out at any one time.

SECTION V. ORDER AND ESTIMATED TIME OF DEVELOPMENT

The Villas at Hawk's Tail is planned to begin construction in 2025, pending final approvals. It is anticipated that The Villas at Hawk's Tail shall be completed in phases that align with sections of the Development.

ORDINANCE NO. 2025/03__

AN ORDINANCE AMENDING THE ZONING CODE OF GREENFIELD, INDIANA

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA, UNDER AUTHORITY OF THE INDIANA ADVISORY PLANNING LAW, I.C. 536-7-4, AND ALL ACTS AMENDATORY OR SUPPLEMENTAL THERETO.

SECTION I.

That Section 155.006 ZONE MAP of the Greenfield UDO, Chapter 155 of the CODE OF ORDINANCES OF GREENFIELD, INDIANA, is amended as follows:

The Zone Map referred to in Section 155.006, known as the ZONE MAP, GREENFIELD, INDIANA-2020, as amended, and referred to as the “Official Zone Map” is hereby amended by reclassifying the following described area to the “RL” Residential Low Density Zoning District:

Legal Description

That portion of the Northeast Quarter of Section 4, Township 15 north, Range 7 East of the Second Principal Meridian, Center Township, Hancock County, Indiana, described as follows:

BEGINNING at the southwest corner of said Northeast Quarter as located per survey by the plat of The Ridges Over Brandywine Subdivision as per plat thereof recorded as Instrument Number 070013468 in the Office of the Recorder of said county; thence along the centerline of Morristown Pike the following three (3) courses: 1) North 01 degree 41 minutes 56 seconds East 545.05 feet; 2) North 01 degree 44 minutes 09 seconds West 428.56 feet; 3) North 02 degrees 39 minutes 22 seconds West 612.14 feet to the Northeast corner of the Hackney Minor Subdivision as per plat thereof recorded as Instrument Number 201812437 in said county records; thence South 86 degrees 32 minutes 06 seconds West along the north line thereof 9.87 feet to the west line of said Northeast Quarter; thence North 01 degree 16 minutes 03 seconds West along said west line 52.40 feet to the south line of the Pennsy Trail (formerly the south right-of-way line of the P.C.C. & St. Louis Railroad); thence North 86 degrees 30 minutes 02 seconds East along said south line 208.49 feet; thence South 03 degrees 29 minutes 58 seconds East 117.36 feet; thence South 87 degrees 20 minutes 38 seconds West 161.59 feet; thence South 02 degrees 39 minutes 22 seconds East 115.03 feet; thence North 87 degrees 20 minutes 38 seconds East 173.86 feet; thence South 01 degree 16 minutes 03 seconds East 812.76 feet; thence South 88 degrees 15 minutes 51 seconds West 160.20 feet; thence South 01 degree 44 minutes 09 seconds East 55.48 feet; thence South 01 degree 41 minutes 56 seconds West 72.13 feet; thence South 88 degrees 18 minutes 04 seconds East 159.88 feet; thence South 01 degree 41 minutes 56 seconds West 471.53 feet to the south line of said Northeast Quarter; thence North 89 degrees 02 minutes 37 seconds West along said south line 199.90 feet to the POINT OF BEGINNING, containing 6.76 acres, more or less.

The above-described real estate shall be utilized and developed in accordance with the terms and conditions of the Greenfield UDO – “RL” Residential Low Density Zoning Designation in effect at the time of passage. As indicated on the attached Exhibit “1”; and shall be subject to the following commitment:

1. The petitioner shall install a driveway turnaround on each lot to avoid cars backing out onto Morristown Pike.

SECTION II.

This Ordinance shall be in full force and effect from and after its passage as provided by law.

SECTION III.

Introduced and filed on the ____ day of _____, 2025. A motion to consider on first reading on the day of introduction was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8. On the ____ day of _____, 2025, a motion to approve the above on second reading was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8. Upon a motion to approve the above on third reading was offered and sustained by a vote of ____ in favor and ____ opposed pursuant to I.C. 36-5-2-9.8.

Duly ordained and passed this ____ day of _____, 2025 by the Common Council of the City of Greenfield, Indiana, having been passed by a vote of ____ in favor and ____ opposed.

COMMON COUNCIL OF THE CITY OF GREENFIELD, INDIANA

Voting Affirmative

Voting Opposed

John Jester

John Jester

Amy Kirkpatrick

Amy Kirkpatrick

Jeff Lowder

Jeff Lowder

Thomas Moore

Thomas Moore

Joyce Plisinski

Joyce Plisinski

Dan Riley

Dan Riley

Anthony Scott

Anthony Scott

ATTEST:

Lori Elmore, Clerk-Treasurer

Presented by me to the Mayor this _____ day of _____, 2025.

Lori Elmore, Clerk-Treasurer

Approved by me this _____ day of _____, 2025.

Guy Titus, Mayor, City of Greenfield

This instrument was prepared by Gregg H. Morelock, BRAND & MORELOCK, 6 West South Street, Greenfield, IN 46140.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Gregg H. Morelock.

Exhibit "1"

