

**WHITELAND TOWN COUNCIL
ORDINANCE NO. 2021-03**

**AN ORDINANCE AMENDING THE ZONE MAP OF THE TOWN OF WHITELAND,
REZONING CERTAIN PROPERTY FROM R-3 (RESIDENTIAL) TO C-2
(COMMERCIAL)
("Wrigley Real Estate Holdings LLC",
0.124 acres at 169 North State Street, Whiteland, IN)**

WHEREAS, the Whiteland Advisory Plan Commission ("Commission") conducted a public hearing on the petition for rezoning of approximately 0.124 acres located generally at 169 North State Street, within the Town of Whiteland ("Town"), more specifically described and depicted on attached Exhibit A, incorporated herein, (the "Property") from the current zoning of R-3, Residential use to C-2, Commercial use;

WHEREAS, the Commission, after paying reasonable regard to 1) the Whiteland Comprehensive Plan, 2) the current conditions and the character of the current structures and uses in each district, 3) the most desirable use for which the land in each district is adapted, 4) the conservation of property values throughout the jurisdiction, and 5) responsible development and growth, has made a favorable recommendation by a vote of 7 in favor and 0 against regarding the change in the zone map and has certified the same to the Whiteland Town Council ("Council");

WHEREAS, the Council has considered the recommendation of the Commission and paid reasonable regard to items 1 thru 5 referred to above;

WHEREAS, the amendments herein are consistent with the following purposes, as required under I.C. 36-7-4-601(c):

- a. Securing adequate light, air, convenience of access, and safety from fire, flood, and other danger;
- b. Lessening or avoiding congestion in public ways;
- c. Promoting the public health, safety, comfort, morals, convenience, and general welfare; and
- d. Otherwise accomplishing the purposes of I.C. 36-7-4;

WHEREAS, the Council has given notice under I.C. 5-14-1.5-5 (the Open Door Law) of its intention to consider the amendment to the Whiteland Zoning Map; and

WHEREAS, the Council desires to adopt the proposed amendment to the Zoning Map of the Town of Whiteland.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WHITELAND, INDIANA, AS FOLLOWS:

Section 1. The official Zone Map of the Town of Whiteland, as referred to in Section 156.041 of the Whiteland Zoning Code as incorporated into the Whiteland Municipal Code, is hereby amended to rezone the Property described in Exhibit A from R-3 (Residential) to C-2 (Commercial).

Section 2. The Whiteland Plan Commission is hereby authorized to make the above described change to the official Zone Map of the Town of Whiteland.


Section 3. This Ordinance shall have no effect as to changing any other provision of the Whiteland Zoning Code other than the amendment of the official Zone Map.

Section 4. This Ordinance shall be in full force and effect from and after its adoption.

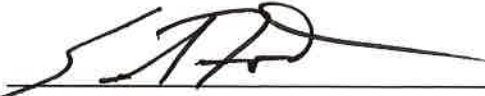
5 DULY PASSED AND FINALLY ADOPTED on the 9th day of March, 2021, by a vote of 5 in favor and 0 against.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL

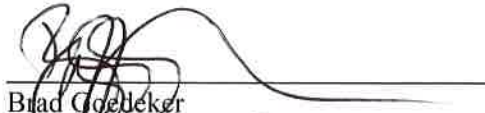
Voting In Favor




David Hawkins, President



Scot Ford, Vice President



Brad Goedeker



Joseph Sayler



Laura Fleury

Voting Opposed

David Hawkins, President

Scot Ford, Vice President

Brad Goedeker

Joseph Sayler

Laura Fleury

Attest:



Debra L. Hendrickson, Clerk-Treasurer

EXHIBIT A
Wrigley Real Estate Holdings, LLC Property
(Page 1 of 2)

Legal Description

PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 13 NORTH, RANGE 4 EAST OF THE SECOND PRINCIPAL MERIDIAN, JOHNSON COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 525.36 FEET WEST OF AND 398.0 FEET NORTH OF THE SOUTHEAST CORNER OF SAID HALF QUARTER SECTION SAID POINT BEING IN THE EAST LINE OF STATE STREET AND 272.0 FEET SOUTH OF THE NORTH LINE OF WALNUT STREET AS EXTENDED IN THE TOWN OF WHITELAND, INDIANA; THENCE EAST PARALLEL TO THE NORTH LINE OF WALNUT STREET EXTENDED 80.0 FEET; THENCE SOUTH 67.7 FEET PARALLEL TO THE EAST LINE OF STATE STREET; THENCE WEST 80.0 FEET PARALLEL TO THE SAID NORTH LINE; THENCE NORTH ON AND ALONG THE EAST LINE OF STATE STREET 67.7 FEET TO THE PLACE OF BEGINNING.

MORE COMMONLY KNOWN AS: **169 N. STATE STREET, WHITELAND, IN 46184**

EXHIBIT A
Wrigley Real Estate, LLC Property
(Page 2 of 2)

Aerial Photo





TOWN OF WHITELAND

DEPARTMENT OF PLANNING & ZONING

549 MAIN STREET · WHITELAND, INDIANA 46184 · (317) 535-5531 · FAX (317) 535-8724
www.townofwhiteland.com

CERTIFICATION OF THE TOWN OF WHITELAND ADVISORY PLAN COMMISSION'S RECOMMENDATION ADVISORY PLAN COMMISSION CASE # 2021-Z-08

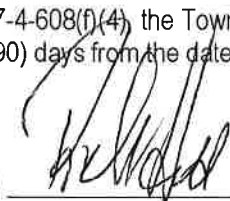
The Town of Whiteland Advisory Plan Commission ("Commission") met on Tuesday, March 2, 2021 to consider a zoning map amendment to rezone 169 N. State St., from R-3 Residential to C-2 Commercial.

Notice was shown to have been published in a newspaper of general circulation in Johnson County, Indiana (Johnson County Daily Journal) on February 13, 2021 and it was shown to adjacent property owners and interested parties were mailed, via certificate of mailing on February 11, 2021. A public hearing sign was placed by Staff prior to February 20, 2021.

After due consideration and input from its regular public meeting on March 2, 2021, the Commission voted 7 in favor and 0 opposed with 0 abstentions to forward to the Council of the Town of Whiteland ("Council") the proposed **Case #2021-Z-08** with the following recommendation. A quorum of 7 of the Commissions seven (7) members were in attendance for the meeting.

- FAVORABLE
- UNFAVORABLE
- FAVORABLE WITH MODIFICATIONS

By virtue of a favorable recommendation by the Commission, pursuant to IC 36-7-4-608(f)(4), the Town Council has 90 days to act on this petition before it become as Certified by the Commission. Ninety (90) days from the date of Certification (March 2, 2021) is June 2, 2021.

BY: 
Richard Hill, President
Whiteland Advisory Plan Commission

Attest: 
Jennifer Brooking, Secretary
Whiteland Advisory Plan Commission

Dated: March 2, 2021



Town of Whiteland Plan Commission
Application for Zoning Map Amendment
Application Kit

Accepted by: CParker Date: 2/11/21
Docket Number: 21 -Z- 08
Receipt Number: 502101

Project Information

Address or location of the proposal: 169 N STATE ST, WHITELAND, IN 46184

Current Zoning: Res 1 Proposed zoning: Com 2 Area (acres): 0.124 Annexed: Yes No

Existing land use: VACANT LAND - home was demolished.

Summary of proposed land use: Bailey ? Wood Mortgage OFFICE EXPANSION

Applicant Information

Name: D. MIKE WOOD

Organization: Wrigley Real Estate Holdings LLC.

Mailing address: 5757 N 400 W, BARGERSVILLE, IN 46106

Phone: 317-413-0707 Email: mwood@bawtfg.com

(Or fax number. Email address is preferred. Either or both are required.)

Property Owner Information

Name:

(If different than applicant; also submit completed property owner consent affidavit.)

Organization:

Mailing address:

Phone: Email:

(Or fax number. Email address is preferred. Either or both are required.)

Certification

I hereby certify that I have the authority to make the above application, and that the information, to my knowledge and belief, is true and correct.

Signature of applicant

2/9/21 Date

D. MIKE WOOD - OWNER
Printed name and title



**Town of Whiteland Plan Commission
Application for Zoning Map Amendment
Application Kit**

Checklist and Contacts

An application submission for rezoning shall include the following items:

- Completed application form
- Legal description of the property
- Area map accurately showing the property to be rezoned
- Proof of ownership (*deed*)
- Property owner consent affidavit (*if applicant is not the owner*)
- List of interested parties (*can be submitted with proof of notice*)
- Statement of commitments (*if any*)
- Supporting materials, such as preliminary site plan, architectural renderings, landscape plans, financial reports, etc. (*the Commission may require any additional information it deems necessary to adequately consider the petition*)
- Traffic impact study (*if required*)
- School impact study (*if required*)
- Filing fee (*checks made payable to Town of Whiteland*)
- Other materials: _____

Review Process Contacts

The following persons will be contacted regarding notices, additional filing requirements, and staff comments during the review process.

Check if owner and/or applicant will be contacted: Owner _____ Applicant _____

Attorney or Representative

Name: _____

Company: _____

Address: _____

Phone Number: _____

Email: _____

Project Engineer

Name: _____

Company: _____

Address: _____

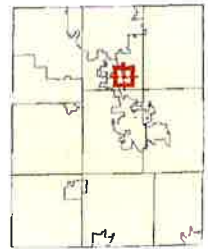
Phone Number: _____

Email: _____

Please attach additional contacts if desired.



Overview



Legend

-  Cities
-  Parcels
- Roads**
 -  ACCESS RAMP
 -  HIGHWAY
 -  INTERSTATE
 -  LOCAL
 -  MAJOR ARTERIAL
 -  MAJOR COLLECTOR
 -  MINOR ARTERIAL
 -  MINOR COLLECTOR
 -  PRIVATE ROAD

Parcel ID	41-05-22-034-003.000-028	Alternate ID	2200 22 06 094/00	Owner Address	WRIGLEY REAL ESTATE HOLDINGS LLC 5757 N 400 W BARGERSVILLE, IN 46106
Sec/Twp/Rng	S22	Class	Res 1 fam dwelling platted lot		
Property Address	169 N STATE ST WHITELAND	Acreage	0.124		
District	028				
Brief Tax Description	E SW S22 T13 R4				

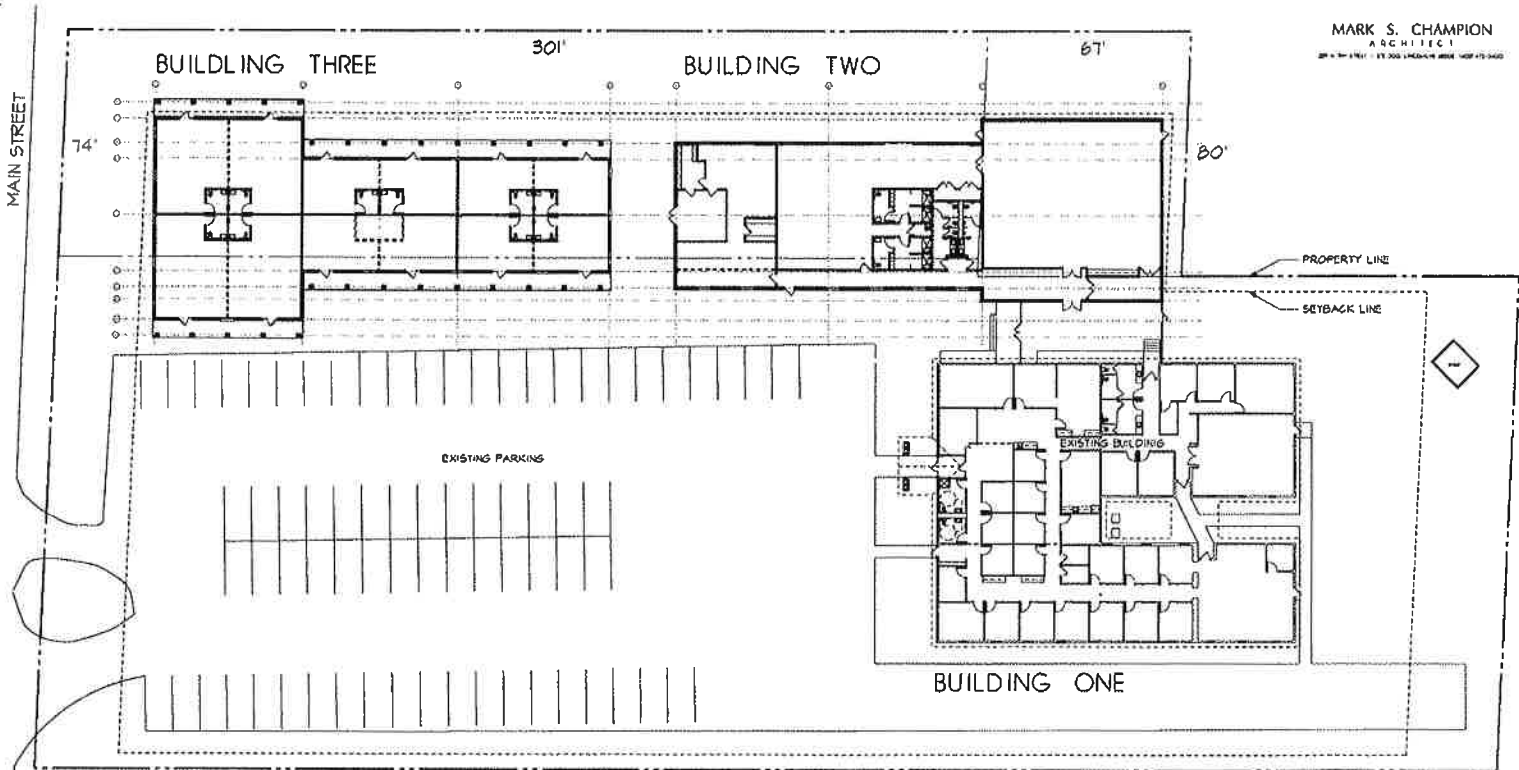
(Note: Not to be used on legal documents)

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Date created: 2/11/2021

Last Data Uploaded: 2/10/2021 7:56:56 PM

Developed by  Schneider
GEOSPATIAL



MARK S. CHAMPION
 ARCHITECT
 200 S. 3rd Street - 1st Floor - Indianapolis, Indiana 46202-3400

BAILEY & WOOD FINANCIAL GROUP - OFFICE EXPANSION

740 Main Street, Whiteland, Indiana



Scale: 1" = 30'-0"
 Date: 10 JAN 2021
 Project: 08015 bwa
 Dwg: bwa0031e.dwg



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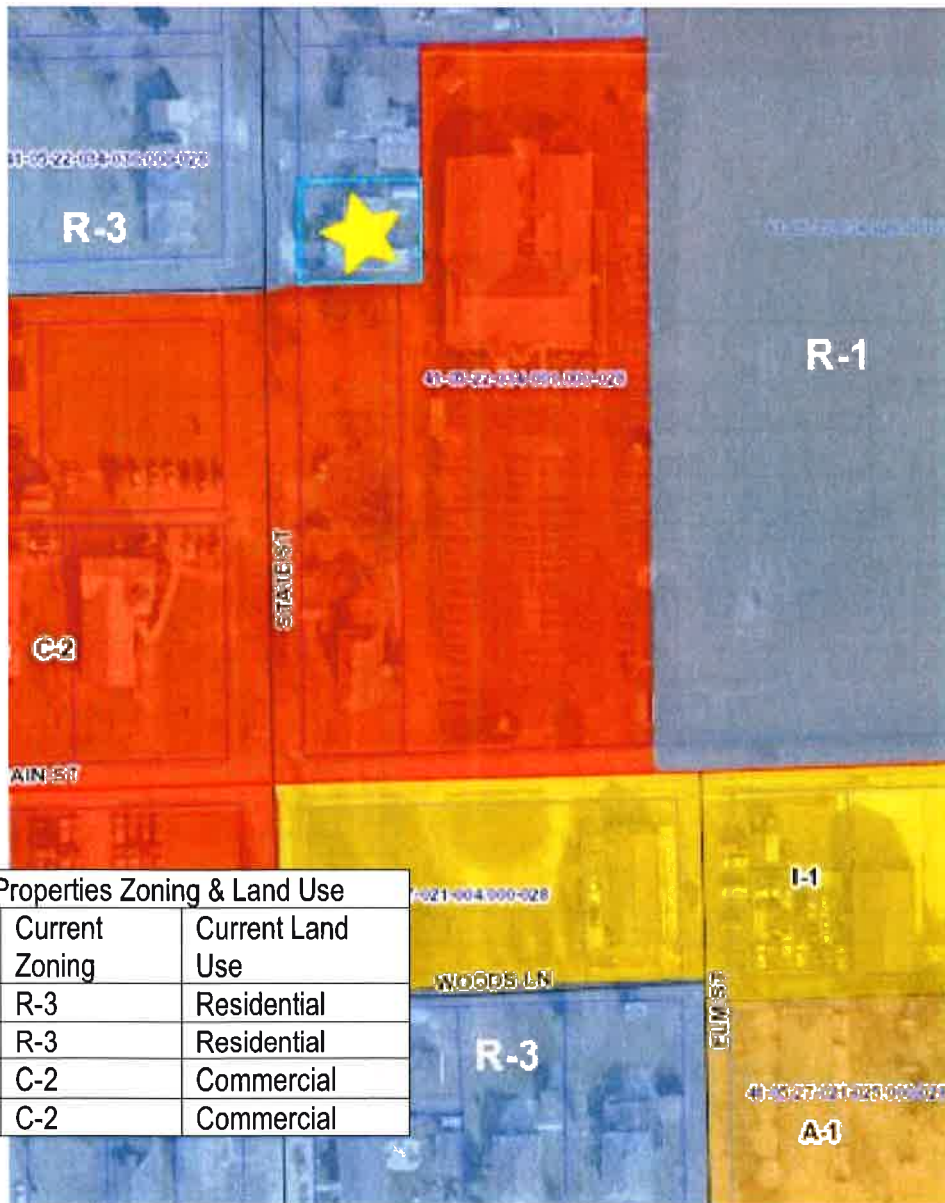
**Town of Whiteland Advisory Plan Commission
March 2, 2021**

PETITIONER: Wrigley Real Estate Holdings, LLC – D. Mike Wood

REQUEST: Case 2021-Z-06 - Rezoning 169 N. State St.

PROPOSAL: The petitioner is requesting 169 N State St from R-3 to C-2 – Commercial.

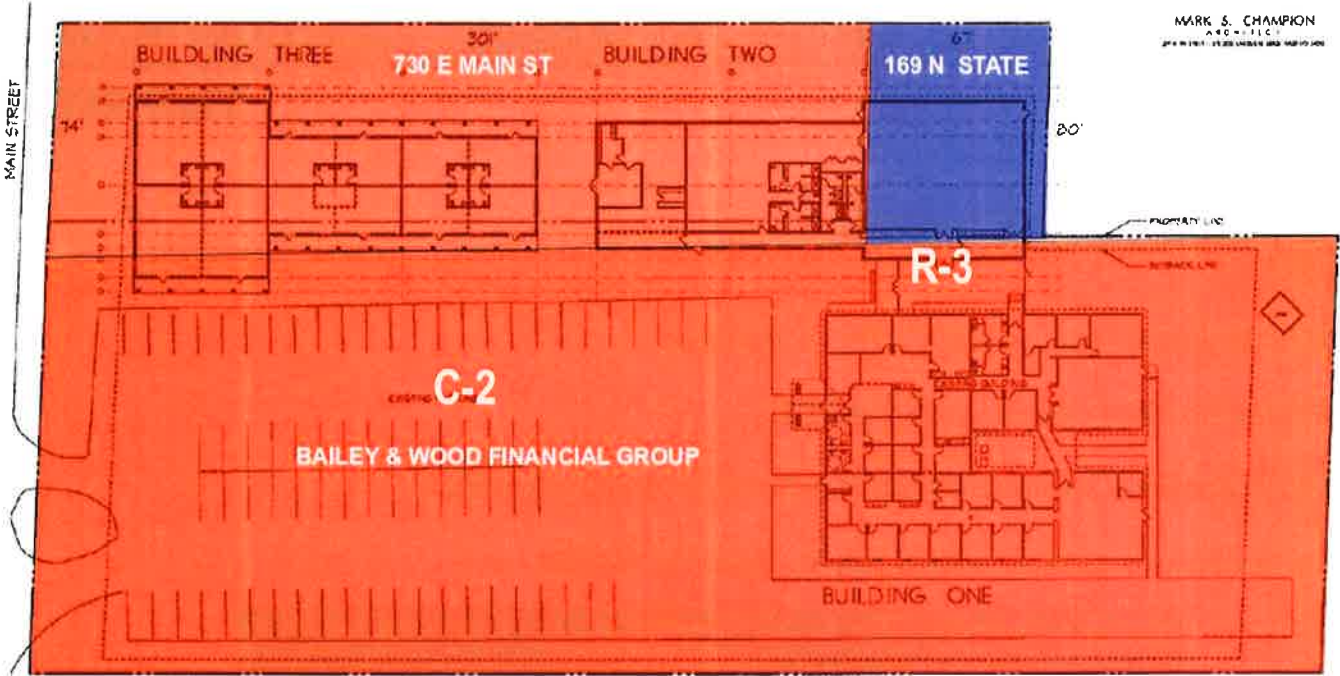
SITE: The subject property is located at 169 N State St., Whiteland, IN 46184



Adjacent Properties Zoning & Land Use		
	Current Zoning	Current Land Use
North	R-3	Residential
West	R-3	Residential
South	C-2	Commercial
East	C-2	Commercial

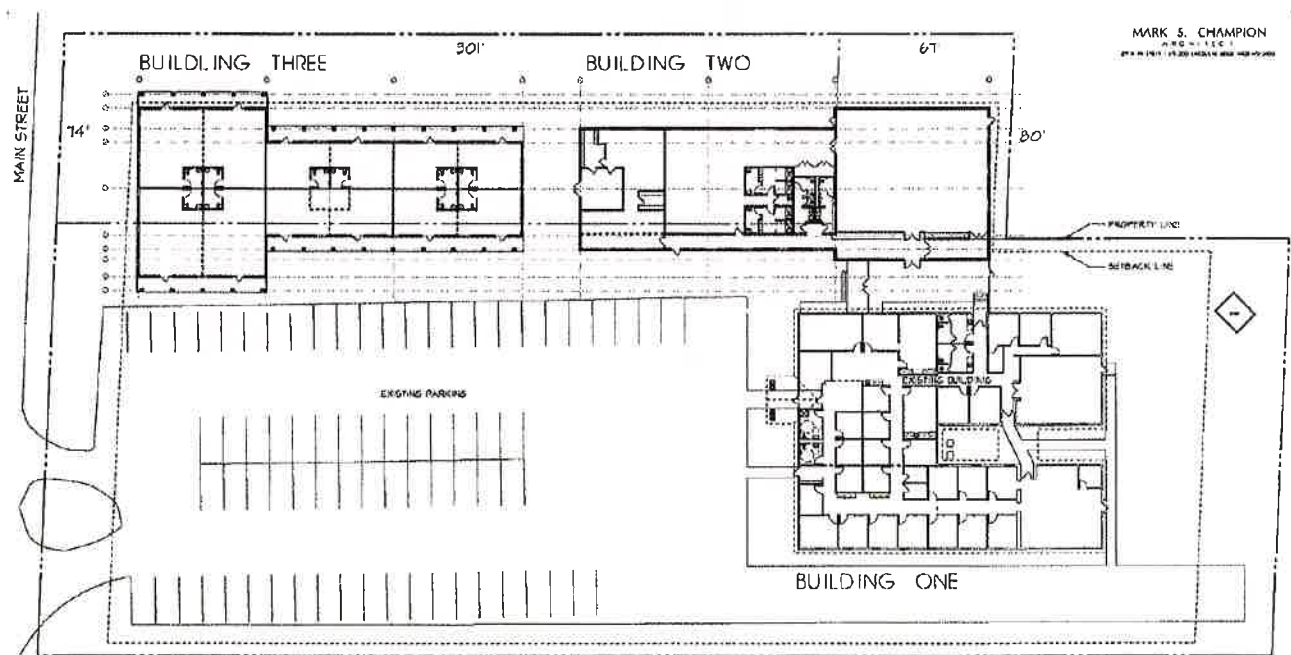
CURRENT

MARK S. CHAMPION
ARCHITECT
274 N. WEST - FISH LAKE AND HIGHWAY



PROPOSED EXPANSION

MARK S. CHAMPION
ARCHITECT
274 N. WEST - FISH LAKE AND HIGHWAY



BAILEY & WOOD FINANCIAL GROUP - OFFICE EXPANSION
740 Main Street, Whiteland, Indiana

Scale: 1" = 30'-0"
Date: 10 JAN 2021
Project: 091012 two
Dwg: ba0001e.dgn



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HISTORY: A single-family structure was located on this property until December of 2020 when the petitioner purchased the property. A demolition permit was issued in December 2020 with the anticipation of the rezoning being approved for a proposed office expansion at Bailey & Wood Financial Group.

A neighborhood meeting will be held on Saturday, February 21, 2021.

REVIEW STANDARDS:

When considering a petition for a Zoning Map Amendment, the Plan Commission shall pay reasonable regard to:

Ordinances

Town of Whiteland Ord. 98-1, Whiteland Code of Ordinances, As amended
Town of Whiteland Comprehensive Plan 2011

Statutory Criteria

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.

COMPREHENSIVE PLAN & ZONING REVIEW:

Neighborhood Commercial – limited business activity areas serving residents of the surrounding neighborhoods in the immediate area and having only a limited impact on nearby developments.

For neighborhood scale development...

- does the proposed site have reasonable proximity to residential development?
- would the proposed uses serve the day-to-day needs of residents in the area?
- are the adjacent land uses commercial (neighborhood scale), residential, institutional?

Future Direction

Goal 2 (c): Create a balance community by attracting business and industry to Whiteland. Focus on specialty or niche businesses with local owners

(D) Land Use - Commercial redevelopment and development shown on the map is intended for retail, professional office, restaurants and similar uses. This type of development is only anticipated where it has access to a principal or minor arterial. Generally, the building should be sited adjacent to the road with parking located behind or to the side of the building.

Building Blocks

(G) Economic Development – Other Business Districts – commercial and industrial land uses provide the basic tax base of the community and provide services and employment for local residents. Less than four percent of Whiteland's land is in commercial and office uses, concentrated in two locations – US 31 and Main St/Whiteland Rd. Redevelopment of the commercial areas along US 31 and Whiteland Rd would enhance the image of Whiteland at key gateway locations. As redevelopment occurs, access management can be put in to place along with improved pedestrian access, landscaping and similar considerations.

COMMENTS AND FINDINGS:

1. The requested zoning change is consistent with the Comprehensive Plan because it follows the neighborhood commercial definition and would be located along Whiteland Rd. The rezoning would allow for an expansion of Bailey & Wood Financial Group that is currently located at 740 E. Main St. The petitioner has recently purchased the property located at 730 E. Main St. to allow for the expansion project.
2. The current conditions and character of current structures and uses in each district. Current conditions include a mix of commercial and residential zoning classifications. Please see attached table for current zoning & uses.
3. The most desirable use for which the land in each district is adapted. This property has commercial use properties on the southern & eastern sides. The petitioner's existing business which is located to the east of this property is currently zoned C-2 (Commercial) and extends to the North beyond the full length of the rear property line at 169 N. State St.
4. The conservation of property values throughout the Plan Commission's jurisdiction; Property values would be maintained if not improved due to the petitioner's expansion plan for Bailey & Wood Financial Group and the construction of two new professional office buildings.
5. Responsible growth and development – This rezoning and business expansion would support the Town's comprehensive plan for neighborhood commercial and allow for redevelopment all while maintaining the small hometown feel.

PUBLIC HEARING:

The petition for rezoning does require a public hearing. The petitioner has provided public notice in accordance with Municipal Code and Indiana State Code, including mailings to adjoining property owners, advertisement in the Johnson County Daily Journal, and a "Public Notice" sign placed at the property site.

PLAN COMMISSION ACTION:

The Town of Whiteland Advisory Plan Commission, when considering a petition for a Zoning Map Amendment, acts as an advisory board to the Whiteland Town Council. In such as role the commission may (1) forward a favorable recommendation to the Town Council, (2) forward an un-favorable recommendation to the Town Council, (3) forward no recommendation to the Town Council, (4) continue the petition to the next regular meeting of the Plan Commission. The Plan Commission may attach conditions to any recommendations which are to become commitments of the application. The Whiteland Town Council make all final decisions regarding applications for zoning map amendments (re-zoning applications).

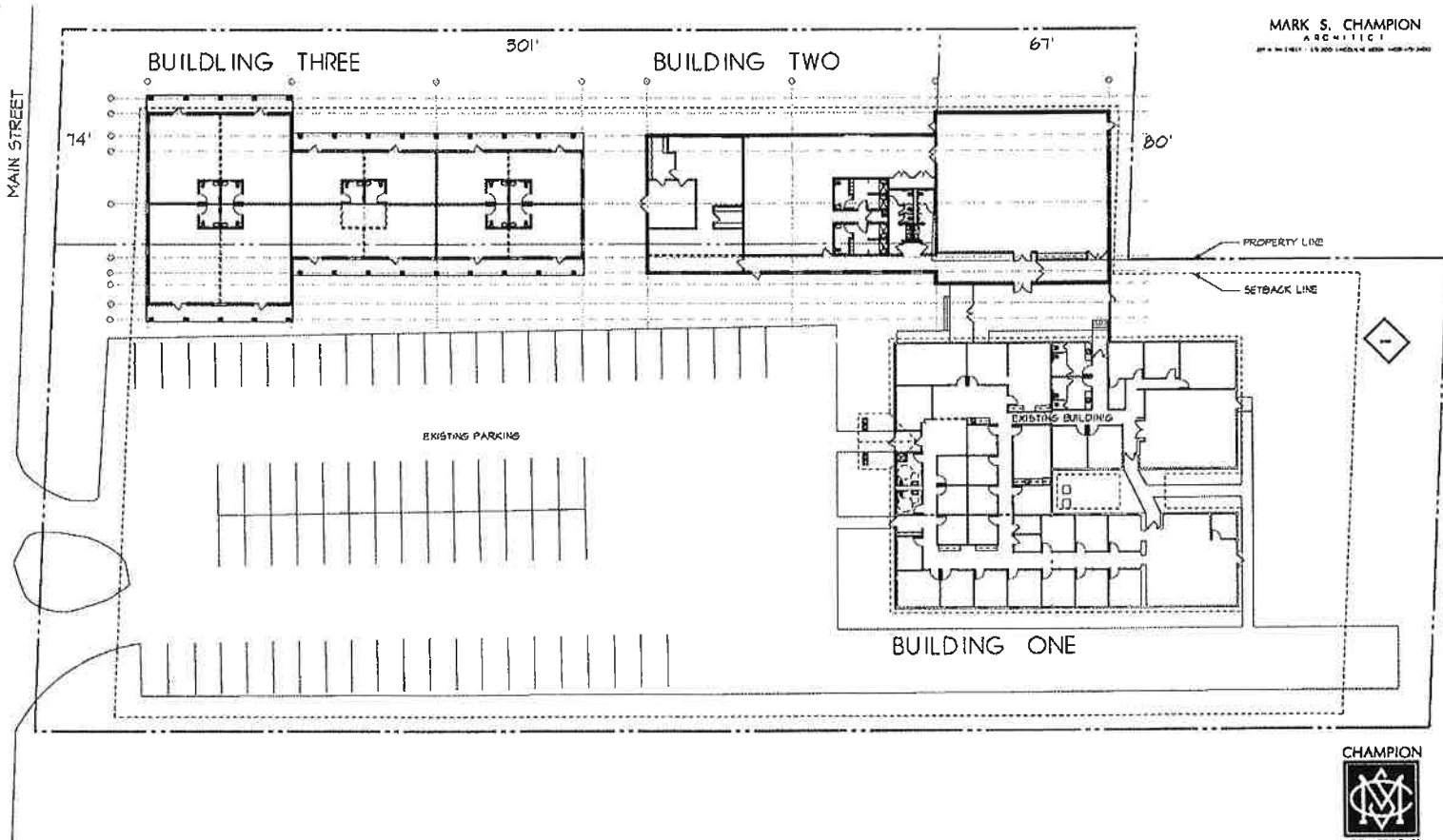
NEXT STEPS:

If the Plan Commission forwards a recommendation to the Town Council, the petition will be introduced and appropriate approval will be at the next regularly scheduled meeting of the Council. (Next scheduled meeting on March 9, 2021).

STAFF'S RECOMMENDED MOTION:

*Staff recommends that **the proposed re-zoning be given a favorable recommendation to the Town Council.***

If after considering the petition, the Commission agrees with the position of staff, the following motion would be appropriate:
I move that the petition for a Zone Map Change for the rezoning of 169 N. State St. R-3 to C-2 as set forth therein, receive a favorable recommendation from this Commission to the Whiteland Town Council and that the same be certified to the Whiteland Town Council in the form presented with the petitioner's application.



MARK S. CHAMPION
ARCHITECT

BAILEY & WOOD FINANCIAL GROUP - OFFICE EXPANSION
740 Main Street, Whiteland, Indiana



Scale 1" = 30'-0"
Date 10 JAN 2021
Project OBD 15 TWO
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