

STATE OF INDIANA  
BEFORE THE BOARD OF COUNTY COMMISSIONERS  
ORDINANCE NO. 26-2022

AN ORDINANCE APPROVING AN AMENDMENT TO THE CLARK COUNTY  
ZONING MAP ON A FAVORABLE RECOMMENDATION  
BY THE CLARK COUNTY PLAN COMMISSION

This is a Planned Unit Development District Ordinance (the “Ordinance”) for the Champions Run Planned Unit Development District (the “District”), to amend the zoning map adopted as part of the Unified Development Ordinance of Clark County, Indiana (the “UDO”), enacted by the Clark County Commissioners pursuant to the authority granted in Ind. Code § 36-7-4-600 *et seq.*, as amended.

**WHEREAS**, the Board of Commissioner of Clark County, Indiana (the “Board”), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and

**WHEREAS**, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code § 36-1-2-9; and

**WHEREAS**, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code § 36-7-4, *et al.*; and

**WHEREAS**, *Chapter 8, Section D.3: Zone Map Change & PUD District Procedures* provides for zone map changes in accordance with the requirements of Ind. Code § 36-7-4-600 *et seq.* and for the establishment of Planned Unit Development Districts in accordance with the requirements of Ind. Code § 36-7-4-1500 *et seq.*; and

**WHEREAS**, on the 9<sup>th</sup> day of November, 2022, the Clark County Plan Commission passed Resolution 11-2022, attached hereto as **Exhibit “A”**, with a Favorable recommendation to reclassify certain property on the County’s zoning maps as identified in the Resolution and establishing the District.

**NOW, THEREFORE, BE IT ORDAINED** by the Clark County Commissioners, as follows:

**Section 1. Applicability of Ordinance.**

1.1 The Official Zoning Map of Clark County, Indiana is hereby amended to designate the land described in **Exhibit “B”** (the “Real Estate”) as a Planned Unit Development District to be known as Champions Run Planned Unit Development District (the “District”).

1.2 Development of the Real estate shall be governed by (i) the provisions of this Ordinance, including the exhibits attached hereto and (ii) the UDO, as amended and applicable to the Real Estate and a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance. In the event of a conflict between this Ordinance and the UDO, the provisions of this Ordinance shall apply.

**Section 2. Subdistricts.**

2.1 The District is hereby divided into two (2) areas as depicted on the Subdistrict Map, attached as **Exhibit “C”**, and labeled as “General Mixed Use (GMU) Subdistrict” and “Mixed Residential (MR) Subdistrict” (each a “Subdistrict” and collectively, the “Subdistricts”). Refer to the Subdistrict Map for the boundaries of each Subdistrict.

2.2 Development of each Subdistrict shall be regulated as set forth in this Ordinance.

2.3 GMU Subdistrict.

a. **Purpose.** The GMU Subdistrict is intended to provide for a variety of business, commercial, and institutional uses to serve the MR Subdistrict, Champions Run Section One, surrounding neighborhoods, and the general community; while also providing multi-family dwellings within walking distance of the business, commercial, and institutional facilities in the GMU Subdistrict and serving as a gateway to Champions Run. All new primary structures require Development Plan Approval (See *Clark County UDO, Development Plan Procedures*).

b. **Uses and Basic Development Standards.**

LAND USES – GENERAL MIXED USE SUBDISTRICT (GMU)	
PERMITTED USES	
<b>COMMERCIAL USES</b>	
<ul style="list-style-type: none"> <li>• Child care center</li> <li>• Day care facility</li> <li>• General retail, <u>EXCLUDING</u>:               <ul style="list-style-type: none"> <li>○ Auto/ boat/ farm equipment/ motorcycle/ recreational vehicle sales &amp; repair</li> <li>○ Automotive sales, new</li> <li>○ Automotive sales, used</li> <li>○ Automotive repair</li> <li>○ Storage units</li> </ul> </li> <li>• Kindergarten/Preschool</li> <li>• Professional/ business offices, <u>EXCLUDING</u> clinics</li> <li>• Service-oriented retail</li> <li>• Funeral home</li> <li>• Hotel/ motel</li> <li>• Recreational facility, public and private*</li> <li>• Winery/ brewery/ distillery*</li> <li>• Philanthropic institution</li> <li>• Animal hospital</li> <li>• Bed and breakfast, owner-occupied</li> <li>• Bed and breakfast, non-owner occupied</li> <li>• Club, private (excluding gun club)</li> <li>• Farm equipment dealer</li> <li>• Farm equipment repair*</li> </ul>	

**INSTITUTIONAL USES**

- Church or place of worship
- Park, public and private
- Fire station
- Governmental offices
- Library
- Comprehensive care center
- Nursing home
- School
- Utility facility, public and private

**RESIDENTIAL USES**

- Dwelling, multi-family

*\*Use is conditional and must satisfy Use Development Standards in Section 4 of this Ordinance*

DEVELOPMENT STANDARDS – GENERAL MIXED USE SUBDISTRICT (GMU)			
		Land Use	
		Multi-family Residential	Non-residential
<b>Structure Standards</b>			
Maximum height of structure	Primary structure	100 feet	60 feet
	Accessory structure**	30 feet	30 feet
Minimum living area		600 sqft for 1 bedroom 700 sqft for 2 bedrooms 800 sqft for 3 or more bedrooms	N/A
Minimum width of primary structure		N/A	N/A
<b>Lot Standards</b>			
Minimum lot width	With sewer***	N/A	50 feet
Maximum lot width to depth ratio	With sewer***	N/A	N/A
Minimum lot area	With sewer***	5,000 sqft	2,500 sqft
Minimum front yard setback****		25 feet	10 feet
Minimum side yard setback****	Primary structure	10 feet	3 feet
	Accessory structure	5 feet	3 feet
Minimum rear yard setback****	Primary structure	20 feet	10 feet
	Accessory structure	5 feet	5 feet
Maximum impervious surface coverage*****		80%	90%

*\*\*Accessory structure cannot exceed height of primary structure*

*\*\*\*Sewer is required throughout the entire District*

*\*\*\*\*No structures can be within platted easement*

*\*\*\*\*\*All development shall comply with the Clark County Drainage Ordinance*

ADDITIONAL DEVELOPMENT STANDARDS – GENERAL MIXED USE SUBDISTRICT (GMU)	
The following site development standards may also apply to development in this Subdistrict. See Section 3: Site Development Standards.	
<ul style="list-style-type: none"> <li>• Accessory Structure Standards.</li> <li>• Bufferyard Standards.</li> <li>• Driveway Standards.</li> <li>• Lighting Standards.</li> <li>• Lot and Setback Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Parking and Loading Standards.</li> <li>• Sign Standards</li> <li>• Storage Standards</li> <li>• Structure Standards</li> <li>• Trash Receptacle Standards.</li> </ul>

2.4 Mixed Residential Subdistrict (MR).

a. **Purpose.** The MR Subdistrict is intended to provide a variety of housing and serves as a transition between the business, commercial, and institutional uses in the GMU Subdistrict, Champions Run Section One, and surrounding agricultural areas. All new primary Multi-family Residential structures require Development Plan Approval (See *Clark County UDO, Development Plan Procedures*).

b. **Uses and Basic Development Standards.**

LAND USES – MIXED RESIDENTIAL SUBDISTRICT (MR)
PERMITTED USES
<b>RESIDENTIAL USES</b> <ul style="list-style-type: none"> <li>• Dwelling, multi-family</li> <li>• Dwelling, single-family</li> <li>• Dwelling, single-family attached</li> <li>• Dwelling, two-family</li> </ul>

DEVELOPMENT STANDARDS – MIXED RESIDENTIAL SUBDISTRICT (MR)				
		Land Use		
		Single-family and Two-family Residential	Single-family Attached Residential	Multi-family Residential
<b>Structure Standards</b>				
Maximum height of structure	Primary structure	35 feet	60 feet	60 feet
	Accessory structure**	25 feet	30 feet	30 feet
Minimum living area		Single-family: 950 sqft All Other Residential: 600 sqft for 1 bedroom 700 sqft for 2 bedrooms 800 sqft for 3 or more bedrooms		
Minimum width of primary structure		20 feet	20 feet	N/A

<b>Lot Standards</b>				
Minimum lot width	With sewer***	50 ft Single-family 25 feet/unit Two-family	N/A	N/A
Maximum lot width to depth ratio	With sewer***	1:8	N/A	N/A
Minimum lot area	With sewer***	Single-family: 4,400 sq ft Two-family: 2,500 sq ft/unit	2,500 sq ft/unit	5,000 sqft
Minimum front yard setback****		10 feet	10 feet	25 feet
Minimum side yard setback****	Primary structure	5 feet or 0 feet on one side if Two-family	5 feet or 0 feet between units if attached	10 feet
	Accessory structure	3 feet	3 feet	5 feet
Minimum rear yard setback****	Primary structure	10 feet	10 feet	20 feet
	Accessory structure	5 feet	5 feet	5 feet
Maximum impervious surface coverage*****		80%	80%	80%

\*\*Accessory structure cannot exceed height of primary structure

\*\*\*Sewer is required throughout the entire District

\*\*\*\*No structures can be within platted easement

\*\*\*\*\*All development shall comply with the Clark County Drainage Ordinance

<b>ADDITIONAL DEVELOPMENT STANDARDS – MIXED RESIDENTIAL SUBDISTRICT (MR)</b>	
The following site development standards may also apply to development in this Subdistrict. See Section 3: Site Development Standards.	
<ul style="list-style-type: none"> <li>• Accessory Structure Standards.</li> <li>• Bufferyard Standards.</li> <li>• Driveway Standards.</li> <li>• Lighting Standards.</li> <li>• Lot and Setback Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Parking and Loading Standards.</li> <li>• Sign Standards</li> <li>• Storage Standards</li> <li>• Structure Standards</li> <li>• Trash Receptacle Standards.</li> </ul>

### **Section 3. Site Development Standards.**

3.1 All site development standards shall be governed by the Clark County UDO, Chapter 3: *Site Development Standards* unless specifically outlined within this Section.

3.2 Accessory Structure Standards. All accessory structure standards shall be governed by the Clark County UDO with the following exceptions:

- a. A building permit for an accessory structure may be issued prior to or at the same time as the primary structure, provided construction on the primary structure begins within one (1) year of the date of the accessory structure permit.
- b. **Fences.** The MR Subdistrict shall comply with the fence height standards for Residential Districts. The GMU Subdistrict shall comply with the fence height standards for Non-Residential Districts.

3.3 Bufferyard Standards. The bufferyard standards in the Clark County UDO, Chapter 3 shall not apply to the District.

- a. **Exterior Parcels.** All parcels that are along the exterior boundary of the District shall have a minimum of a twenty (20) foot bufferyard width if the parcel abuts a non-residential (R1, R2, R3, R4) or non-commercial (B1, B2, B3) property. The bufferyard shall be located on that portion of the outer perimeter of the parcel which abuts a non-residential (R1, R2, R3, R4) or non-commercial (B1, B2, B3) property. No plantings, fences, walls, or berms shall be required for the bufferyard.
- b. **Interior Parcels.** As development in the District is limited to land uses chosen to coexist harmoniously and divided into subdistricts, thereby minimizing potential nuisances between adjacent land uses, no bufferyards are required for any interior parcels.

3.4 Driveway Standards. All driveway standards shall be governed by the Clark County UDO with the following exceptions:

- a. **Materials.** All driveways must be graded and surfaced with an all-weather paving material such as asphalt, concrete, or other material that will provide equivalent protection against potholes, erosion, and dust.

3.5 Lighting Standards. All lighting standards shall be governed by the Clark County UDO.

3.6 Lot and Setback Standards. All lot and setback standards shall be governed by the Clark County UDO.

3.7 Parking and Loading Standards. All parking and loading standards shall be governed by the Clark County UDO with the following exceptions:

- a. No bicycle parking shall be required for any uses within the District.

3.8 Sign Standards. All sign standards shall be governed by the Clark County UDO with the following exceptions:

a. **Temporary Signs.**

- i. **Temporary Signs in the MR Subdistrict.** The MR Subdistrict shall comply with the standards for temporary signs for C, AG, AE, R1, R2, R3, and R4.
- ii. **Temporary Signs in the GMU Subdistrict.** The GMU Subdistrict shall comply with the standards for temporary signs for AI, B1, B2, B3, M1, M2, and M3.

b. **Permanent Signs (excluding billboards).**

- i. **Permanent Signs in the MR Subdistrict.** The MR Subdistrict shall comply with the standards for permanent signs for C, AE, R1, R2, R3, and R4.
- ii. **Permanent Signs in the BMU Subdistrict.** The GMU Subdistrict shall comply with the standards for permanent signs for AI, B1, B2, B3, M1, M2, and M3.

c. **Billboards.** No billboards shall be permitted in the District.

3.9 Storage Standards. All storage standards shall be governed by the Clark County UDO except for the following:

a. **Outdoor Storage.** No outdoor storage shall be permitted in the District.

b. **RV Storage.**

- i. All recreational vehicles shall be stored within a fully enclosed structure.
- ii. Exception. The only exception shall be the temporary parking of the vehicle on a driveway leading to the garage for the purpose of prepping the vehicle for use or cleaning the vehicle after use. In no case shall that period of time exceed seventy-two (72) hours.

c. **Temporary Storage Containers.**

- i. **MR Subdistrict.** The MR Subdistrict shall comply with the standards for temporary storage containers for residential zoned properties.
- ii. **GMU Subdistrict.** The GMU Subdistrict shall comply with the standards for temporary storage containers for commercial and industrial zoned properties.

- iii. Temporary storage containers shall conform to the setbacks for accessory structures per the standards set forth for the applicable subdistrict in *Section 2: Subdistricts* of this Ordinance.

3.10 Structure Standards. All structure standards shall be governed by the Clark County UDO except for the following:

a. **Primary Structures.**

- i. **Orientation.** All new construction of a building or structure, or renovation or addition to an existing building or structure, shall not require the front doorway of the building or structure to be oriented to the front elevation of the building or structure which shall face the nearest improved road.

b. **Residential Structures.**

- i. **Residential Structure Conversions.** Structures originally designed for occupancy by two (2) families or less converted to occupancy by more than two (2) families shall secure an ILP. Such structure shall show no exterior evidence of change to indicate the extra dwelling units. All fire escapes or stairways leading to a second or higher floor shall be completely enclosed within the converted building.
- ii. **Manufactured Homes.** No Manufactured Homes shall be permitted for temporary or permanent residential occupancy in the District.
- iii. **Recreational Vehicles.** Recreational vehicles are not permitted to be used for residential occupancy within the District. A recreational vehicle may be stored according to *Section 3.9.b: RV Storage* of this Ordinance but shall not be connected to any utilities (electrical, water, sewage, etc.) or occupied at any time while stored.

3.11 Trash Receptacle Standards. All structure standards shall be governed by the Clark County UDO.

**Section 4. Use Development Standards.**

4.1 General Provisions. All use development standards shall be governed by the Clark County UDO with the addition of standards for the following uses:

- Winery/Brewery/Distillery Standards.
- Recreational Facility Standards.
- Farm Equipment Repair Standards.

4.2 Winery/Brewery/Distillery Standards.

- a. **Purpose.** The purpose of regulating wineries, breweries, and distilleries is to provide ample reasonable opportunities for these facilities within the GMU Subdistrict while ensuring compatibility with surrounding mixed uses, including those multi-family residential uses within the GMU Subdistrict as well as all residential uses in the MR Subdistrict.
- b. **Structure Standards.**
  - i. Wineries, breweries, and distilleries shall maintain at least twenty-five (25) percent of the gross floor area of the facility for public use as a tavern, restaurant, or tasting area.
- c. **Use and Operational Standards.**
  - i. To the extent wineries, breweries, and distilleries include special event facilities, any portion of the property used for special events shall comply with all applicable use and operational standards for special event facilities set forth in the Clark County UDO.
  - ii. Wineries, breweries, and distilleries may ship beverages for consumption at other sites, but only if it is demonstrated to the satisfaction of the Administrator that:
    - (a) The location and flow of shipping traffic does not impact access by other users; and
    - (b) The proposed shipping routes are designed to accommodate the weight of the delivery vehicles.
  - iii. Wineries, breweries, and distilleries shall comply with the Title 7.1 of the Indiana Code: Alcohol and Tobacco and all requirements of the Indiana Alcohol and Tobacco Commission.
- d. **Development Standards.**
  - i. To the extent wineries, breweries, and distilleries include special event facilities, any portion of the property used for special events shall comply with all applicable development standards for special event facilities set forth in the Clark County UDO and shall be limited to the portion of the facility to be used as a special event facility.
  - ii. All components of manufacturing, brewing, distilling, bottling, canning, packaging and labeling should be contained completely within the primary structure.

iii. All other development standards of the GMU Subdistrict shall apply.

e. **Procedures.** Breweries, distilleries, or wineries with special event facilities shall comply with the applicable procedures for special events set forth in the UDO.

4.3 Recreational Facility Standards.

a. **Purpose.** The purpose of the recreational facility standards is to ensure that the establishment and use of the facility does not have a negative impact on the surrounding residential areas.

b. **Use and Operational Standards.**

i. **Lighting.** All lighting installations associated with any outdoor recreational facilities shall be turned off by the earlier of 30 minutes after the completion of the last event of the night or 12:00 a.m. and conform to the Clark County UDO *Lighting Standards*.

c. **Development Standards.** All development standards of the GMU subdistrict shall apply.

4.4 Farm Equipment Repair Standards.

a. **Purpose.** The purpose of the farm equipment repair standards is to provide reasonable opportunities for facilities performing farm equipment repairs while eliminating nuisances, to the extent possible, from outdoor storage, smoke, dust, odors, noise, vehicle lights, and other noxious odors, and maintaining aesthetics of the District as a whole.

b. **Use and Operational Standards.**

i. All repairs must occur within an enclosed structure and not be visible from any public right-of-way.

ii. **Storage Requirements.** Farm equipment storage requirements for farm equipment repair facility shall comply with the following:

(a) Farm equipment repair facilities shall screen all farm equipment that has been accepted for repairs from view of surrounding properties by parking/storing the farm equipment within a fully enclosed building or within an area enclosed by a ten (10) foot solid screen fence and/or continuous evergreen landscaping ten (10) feet tall.

(b) Farm equipment awaiting repairs shall be considered a temporary use and shall not be on the premises for more than thirty (30) days unless the repair facility has begun the process to obtain a lien on the farm

equipment pursuant to state law. Extension beyond this time shall be considered a change in use of the property to storage not permitted by this Ordinance. The Board of Zoning Appeals shall not grant any variance to extend this period.

- (c) All wrecked or dismantled farm equipment shall be stored in an enclosed building.

**c. Development Standards.**

- i. Bay doors shall not face a property with a primary residential use, if possible.
- ii. All other development standards of the GMU Subdistrict shall apply.

- d. **Procedures.** All farm equipment repair facilities require development plan approval.

**Section 5. Administration and Procedures.**

5.1 All administration and procedures shall be governed by the Clark County UDO, Chapter 8: *Zoning Administration and Procedures* unless specifically outlined within this Section. The Administrator shall administer and enforce the provisions of this Ordinance in accordance with its literal terms.

5.2 **Procedures for PC and BZA Duties.**

- a. **Minor Modification Procedures.** In accordance with IC 36-7-4-1511(i), a discreet set of minor modifications from the terms of this Ordinance are defined and may be requested for approval by the Administrator without a public hearing.
  - i. **Application.** An application for minor modification shall accompany the associated development plan application or subdivision application or be filed independently if not related to a development plan or subdivision. The application shall define the requested modification, reference the applicable Ordinance section, and provide supporting material for approval, in the opinion of the applicant.
  - ii. **Public Notice.** Public notice is not required for minor modifications.
  - iii. **Conditions.** Minor modifications, outlined below, are permitted under the following conditions:
    - (a) The modification fulfills the purpose of the applicable subdistrict as set forth in this Ordinance and the intent of the applicable Ordinance section included in the application.

- (b) The resulting form is consistent or compatible with the surrounding context and the vision defined in this Ordinance.

iv. **Permitted Minor Modifications.**

- (a) An increase in primary structure height based upon final engineering or design issues, provided the resultant height does not exceed more than an additional ten percent (10%) of the approved height or materially impact adjacent properties.
- (b) Up to ten percent (10%) decrease of minimum living area or minimum width of primary structure.
- (c) Up to ten percent (10%) increase or decrease of any required lot standard except maximum impervious surface coverage, provided the increase or decrease does not materially impact adjacent properties.

- v. **Appeals of Decisions by Administrator.** As set forth in the Clark County UDO, a decision of the Administrator may be appealed to the BZA.

- b. **Special Exceptions.** No special exception uses are included in *Section 2: Subdistricts* of this Ordinance and, therefore, none shall be permitted.

**Section 6. Definitions.**

6.1 Any term not defined herein shall have the meaning as set forth in the Clark County UDO, unless the context otherwise requires.

So Ordained this 23 day of November, 2022.

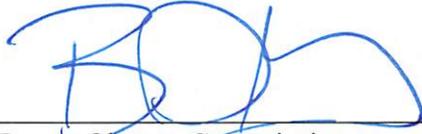
Members voting "NO":

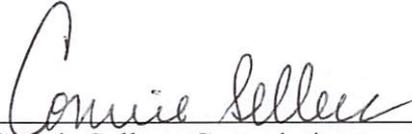
\_\_\_\_\_  
Bryan Glover, Commissioner

\_\_\_\_\_  
Connie Sellers, Commissioner

\_\_\_\_\_  
Jack Coffman, Commissioner

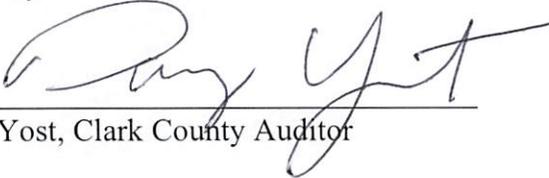
Members voting "YES":

  
\_\_\_\_\_  
Bryan Glover, Commissioner

  
\_\_\_\_\_  
Connie Sellers, Commissioner

  
\_\_\_\_\_  
Jack Coffman, Commissioner

Attested by:

  
\_\_\_\_\_  
Danny Yost, Clark County Auditor



ted this 9<sup>th</sup> November, 2022

I hereby certify this is a true and correct copy of the Resolution passed by the Clark County Planning Commission on Nov. 9, 2022.

"Aye"

Connie Sellers  
Connie Sellers

Guy Guernsey  
Guy Guernsey

Harold Hart  
Harold Hart

Kevin Christman  
Kevin Christman

Wally Estes  
Wally Estes

Bart Meyer  
Bart Meyer

Eric Morris  
Eric Morris

Janne Newland  
Janne Newland

ATTEST:

Denise  
Secretary or Executive Director

"Nay"

Connie Sellers  
Connie Sellers

Guy Guernsey  
Guy Guernsey

Harold Hart  
Harold Hart

Kevin Christman  
Kevin Christman

Wally Estes  
Wally Estes

Bart Meyer  
Bart Meyer

Eric Morris  
Eric Morris

Janne Newland  
Janne Newland

Connie Sellers  
Connie Sellers, President



# BLANKENBEKER & ASSOCIATES

## ENGINEERING & LAND SURVEYING

11 August 2022

Jason M. Copperwaite,  
PE, PS, FAA-UAS  
President

David A. Sanders,  
PE  
Vice President

David Blankenbeker  
PS  
Survey Manager

### DESCRIPTION OF CHAMPIONS RUN FOR PUD

This description was prepared by David R. Blankenbeker, Indiana Professional Land Surveyor, license number 900011, not based on a survey, Job No. B21-24,018 of Blankenbeker and Associates records. Being a part of Surveys 219 and 220 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a concrete monument on the East corner of said Survey 219; Thence N.34°55'52"W., along the line dividing said Surveys 219 and 220, 2207.31 feet to a steel pin, THE TRUE PLACE OF BEGINNING:

Thence continuing N.34°55'52"W, along said dividing line, 91 feet to a steel pin;

Thence S.54°44'53"W, 1968.5 feet to a stone;

Thence N.36°46'49"W, 553.26 feet to a concrete monument;

Thence N.53°39'57"E, 36.38 feet to a steel pin;

Thence N.36°25'03"W, 591.52 feet to a steel pin;

Thence S.69°46'39"W, 187.78 feet to a railroad spike in the centerline of McClellan Road;

Thence N.7°51'22"W, along said centerline, 271.35 feet to a railroad spike;

Thence N.6°03'45"W, 126 feet to a railroad spike;

Thence N.49°54'25"E, 273.55 feet to a steel pin;

Thence N.33°46'03"E, 976.38 feet to a steel pin;

Thence S.53°10'47"E, 249.18 feet to a steel pin;

Thence N.36°28'21"E, 583.87 feet to a "P.K." nail on the centerline of Memphis-Blue Lick Road;

Thence S.63°10'22"E, along said centerline, 259.31 feet to a "P.K" nail;

Thence S.23°52'32"W, 516.19 feet to an iron pipe;

Thence S.75°42'18"E, 416 feet to a steel pin;

Thence N.22°58'42"E, 19 feet to a steel pin;

Thence S.73°42'18"E, 173 feet to a steel pin;

Thence S.13°32'42"W, 307 feet to a steel pin;

Thence S.1°36'06"E, 170.68 feet to a steel pin;

Thence N.53°39'57"E, 395.53 feet to a steel pin on the line dividing said Surveys 219 and 220;

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618 East Court Ave, Jeffersonville IN 47130  
Phone: (812) 282-4183  
Fax: (812) 282-4197

Exhibit "B"

Thence N.55°20'49"E, (passing through a steel pin at 514.42 feet) 534.42 feet to a railroad spike in the centerline of said Memphis-Blue Lick Road;

Thence S.60°18'59"E, along said centerline, 108.22 feet;

Thence S.59°33'09"E, along said centerline, 134.05 feet;

Thence S.59°58'38"E, along said centerline, 135.18 feet;

Thence S.59°43'20"E, along said centerline, 133.77 feet;

Thence S.59°35'36"E, along said centerline, 126.48 feet;

Thence S.60°07'55"E, along said centerline, 107.56 feet to a railroad spike;

Thence S.54°51'14"W, 848.55 feet to the TRUE PLACE OF BEGINNING.

Containing 83.3 acres and being subject to a 10 foot wide water line easement described in Deed Book 298, Page 17, all legal highways and other easements of record.

**EXCEPTING THEREFROM CHAMPIONS RUN, SECTION 1, DESCRIBED AS FOLLOWS:**

Being a part of Survey 219 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a steel pin on the East corner of Survey 220 of said Illinois Grant; Thence S 34°3'20" E, along the line dividing said Surveys 219 and 220, 1266.9 feet to the centerline of Memphis-Blue Lick Road; Thence N 63°13'51" W, along said centerline, 59.34 feet to a "P.K." nail, THE TRUE PLACE OF BEGINNING:

Thence S 23°55'40" W, 516.50 feet to an iron pipe;

Thence S 75°41'27" E, 159.14 feet to a steel pin;

Thence S 41°53'11" W, 350.99 feet to a steel pin;

Thence S 83°39'21" W, 220.38 feet to a steel pin;

Thence S 70°57'45" W, 51.25 feet to a steel pin;

Thence S 78°05'19" W, 243.85 feet to a steel pin;

Thence S 83°39'21" W, 460.55 feet to a steel pin;

Thence N 33°47'32" E, 855.39 feet to a steel pin;

Thence S 53°16'05" E, 249 feet to a steel pin;

Thence N 36°24'52" E, 583.87 feet to a "P.K." nail on said centerline of said Memphis-Blue Lick Road;

Thence S 63°13'51" E, along said centerline, 259.31 feet to the TRUE PLACE OF BEGINNING.

Containing 13.62 acres and being subject to all legal highways and easements of record.

**EXCEPTING THEREFROM:**

Being a part of Surveys 220 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a concrete monument on the East corner of said Survey 219; Thence N.34°55'52"W., along the line dividing said Surveys 219 and 220, 2207.31 feet to a steel pin, THE TRUE PLACE OF BEGINNING:

Thence continuing N.34°55'52"W, along said dividing line, 91 feet to a steel pin;

Thence N.34°57'52"W., along said dividing line, 590.51 feet;

Thence N.55°19'58"E., 85.41 feet;

Thence N.35°05'03"W., 104 feet;

Thence N.55°19'57"E., 389 feet to the centerline of Memphis-Bluelick road;  
Thence S.64°58'03"E., along said centerline, 120.44 feet;  
Thence S.60°19'55"E., along said centerline, 108.22 feet;  
Thence S.59°34'05"E., along said centerline, 134.05 feet;  
Thence S.59°59'34"E., along said centerline, 135.18 feet;  
Thence S.59°44'16"E., along said centerline, 133.77 feet;  
Thence S.59°36'32"E., along said centerline, 126.48 feet;  
Thence S.60°08'51"E., along said centerline, 107.56 feet;  
Thence S.54°50'39"W., 848.44 to THE TRUE PLACE OF BEGINNING.

Containing 11.78 acres and being subject to all legal highways and easements of record.

CONTAINING AFTER SAID EXCEPTIONS 57.9 ACRES.

NOTE: THIS DESCRIPTION PREPARED FOR ZONING PURPOSES ONLY.



# BLANKENBEKER & ASSOCIATES

ENGINEERING & LAND SURVEYING

17 August 2022

Jason M. Copperwaite,  
PE, PS, FAA-UAS  
President

David A. Sanders,  
PE  
Vice President

David Blankenbeker  
PS  
Survey Manager

## DESCRIPTION OF CHAMPIONS RUN FOR PUD Front portion

This description was prepared by David R. Blankenbeker, Indiana Professional Land Surveyor, license number 900011, not based on a survey, Job No. B21-24,018 of Blankenbeker and Associates records.

Being a part of Surveys 220 of the Illinois Grant to Clark County, Indiana and being further described as follows:

Beginning at a concrete monument on the East corner of said Survey 219; Thence N.34°55'52"W., along the line dividing said Surveys 219 and 220, 2207.31 feet to a steel pin, THE TRUE PLACE OF BEGINNING:

Thence continuing N.34°55'52"W, along said dividing line, 91 feet to a steel pin;

Thence N.34°57'52"W., along said dividing line, 590.51 feet;

Thence N.55°19'58"E., 85.41 feet;

Thence N.35°05'03"W., 104 feet;

Thence N.55°19'57"E., 389 feet to the centerline of Memphis-Bluelick road;

Thence S.64°58'03"E., along said centerline, 120.44 feet;

Thence S.60°19'55"E., along said centerline, 108.22 feet;

Thence S.59°34'05"E., along said centerline, 134.05 feet;

Thence S.59°59'34"E., along said centerline, 135.18 feet;

Thence S.59°44'16"E., along said centerline, 133.77 feet;

Thence S.59°36'32"E., along said centerline, 126.48 feet;

Thence S.60°08'51"E., along said centerline, 107.56 feet;

Thence S.54°50'39"W., 848.44 to THE TRUE PLACE OF BEGINNING.

Containing 11.78 acres and being subject to all legal highways and easements of record.

NOTE: THIS DESCRIPTION PREPARED FOR  
ZONING PURPOSES ONLY.

q:\docs\descriptions\24018 pud desc front.docx

618 East Court Ave, Jeffersonville IN 47130

Phone: (812) 282-4183

Fax: (812) 282-4197

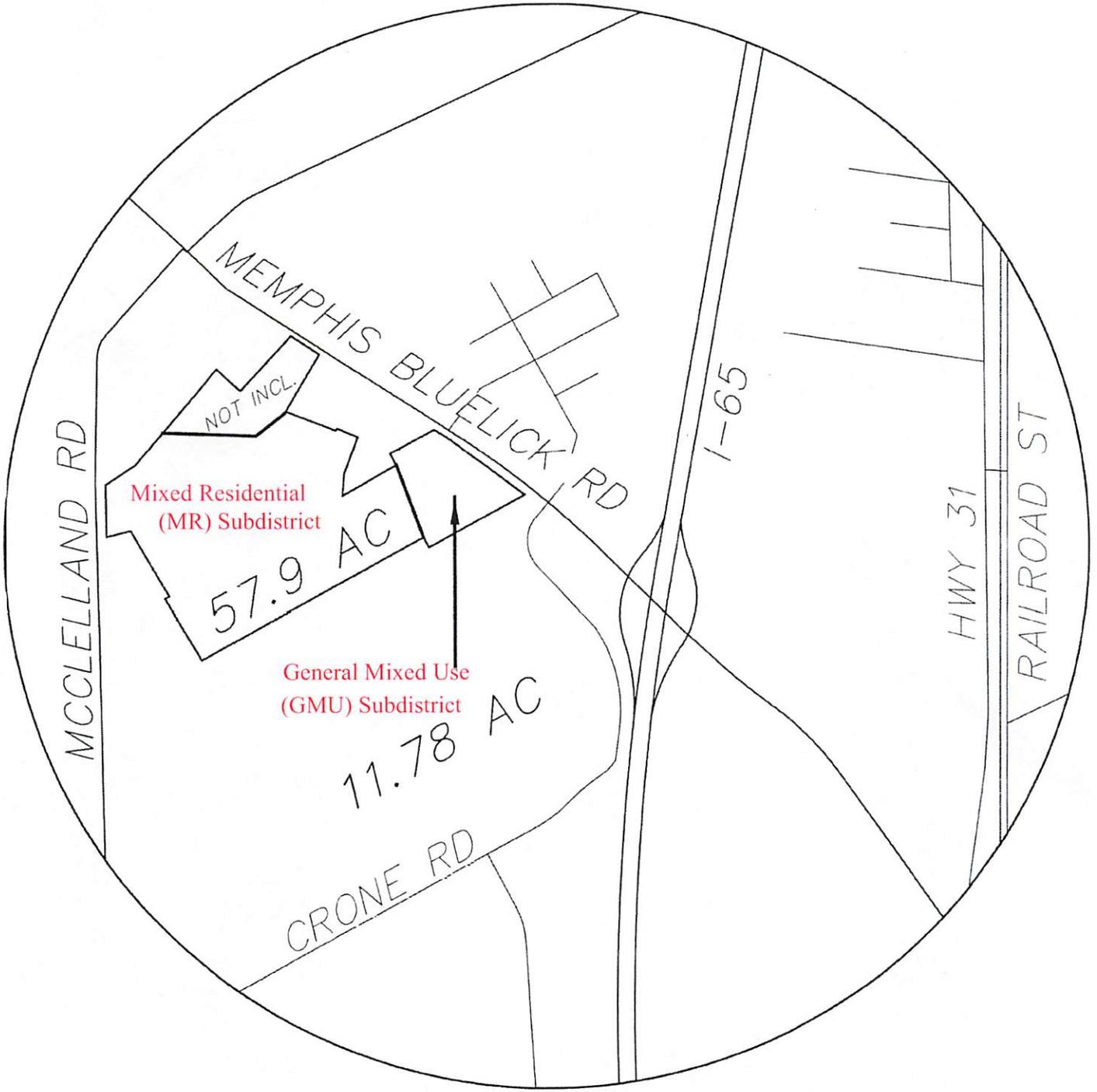


Exhibit "C"

# PC Form 1: Application Form

For Office Use Only	
Petition #	2022-17-PC <i>check #</i>
Fee	700 + 210 sign 012747
Filing Date	10/12/2022
Hearing Date	11/9/2022
<input type="checkbox"/> Staff Review	<input type="checkbox"/> Checkpoint Agencies Review
<input type="checkbox"/> Favorable	<input type="checkbox"/> Unfavorable <input type="checkbox"/> No Rec.
<input type="checkbox"/> Approved	<input type="checkbox"/> Approved w/ commitments/conditions
<input type="checkbox"/> Denied	

This application is being submitted for (check all that apply):

- Minor Residential Subdivision
- Primary Plat
- Secondary Plat
- Development Plan
- Zone Map Change
- PUD District

## APPLICANT INFORMATION

Full Legal Name: Blue Point Development, LLC			
Street Address: 1736 East Main Street			
City, State, Zip: New Albany, Indiana 47150			
Applicant is (choose one): Corporation <input checked="" type="checkbox"/> Partnership Individual(s) Other (specify)			
Primary Contact Person	Name: Amy L. Eversole, Attorney	Phone: 812-284-9499	Email: aeversole@afpfirm.com
Surveyor/Engineer	Name: David Blankenkaker	Phone: 812-282-4183	Email: dblankenkaker@blankenkaker.net
Will the Project Use A Temporary Work Trailer: <input checked="" type="checkbox"/> Yes No			

## PROPERTY OWNER INFORMATION

Full Legal Name: Blue Point Development, LLC			
Street Address: 1736 East Main Street			
City, State, Zip: New Albany, Indiana 47150			
Phone: 812-284-9499		Email: aeversole@afpfirm.com	
Property Owner is (choose one): Corporation <input checked="" type="checkbox"/> Partnership Individual(s) Other (specify)			

## PROPERTY INFORMATION

10-digit Parcel Number: 10-10-21-900-002.000-032 & 10-10-22-000-132.000-032			
Property Address (Actual/approximate address or location from major streets): Unassigned address on Bluelick Road & 13924 Bluelick Road			
County Road Serving Property: Bluelick Road		Township: Union	
Subdivision Name (if applicable):		Lot Number(s) (if applicable):	
Total Acreage: 69.68	Property Located in Floodway or Floodplain: Yes <input checked="" type="checkbox"/> No		
Development will be served by: Septic <input checked="" type="checkbox"/> Sewer specify provider: Memphis			
Current Zoning of Subject Property: B-2, R-1, & R-2		Current Use of Subject Property: Vacant	
Proposed Zoning: PUD		Proposed Land Use: Mixed use - see attachment	

## CONSENT OF PROPERTY OWNER(S): Complete if the applicant is different from the property owner

I (we), _____, after being first duly sworn, depose and say that I/we are the owner(s) of the real estate located the above address; that I/we have read and examined the Application, and are familiar with its contents; that I/we have no objection to and consent to such request as set forth in the application; and that such request being made by the applicant (____ is) (____ is not) a condition to the sale or lease of the above referenced property.	Property Owner(s):
	Printed Name(s):
	Date:
Notary Public's Name (printed):	Signature of Notary:
My Commission Expires:	Subscribed and sworn to before me this ____ day of
State/County of Residence:	_____, 20_____.

## NOTARIZATION: The above information and attached exhibits, to my knowledge and belief, are true and correct.

Signature of Applicant: <i>[Signature]</i>	Date: 10/12/2022
Notary Public's Name (printed): Heather Rice	Signature of Notary: <i>[Signature]</i>
My Commission Expires: Jan. 22, 2024	Subscribed and sworn to before me this 12 <sup>th</sup> day of
State/County of Residence: Clark	October, 2022

HEATHER R. RICE  
NOTARY PUBLIC  
**SEAZ**  
CLARK COUNTY, STATE OF INDIANA  
MY COMMISSION EXPIRES JANUARY 22, 2024  
COMMISSION NO. 709606

## NARRATIVE

This is an application for a zone map change for 69.68 acres of land located on Blue Lick Road in Memphis, Indiana, comprised of two parcels, as shown on the attached vicinity map, to a PUD (Planned Unit Development) District with two (2) distinct land use districts.

The history of the project is as follows:

- The applicant purchased the subject property in 2021 with the intent to develop a residential subdivision to be known as Champions Run Subdivision adjoining an area for commercial development along Memphis Bluelick Road, with the development to occur in sections.
- In March 2021, the developer received a notice of sufficiency from the Indiana Department of Environmental Management ("IDEM") regarding the notice of intent for the construction site stormwater run-off.
- In June 2021, upon application of the developer, a 12.46 acre section of property was rezoned from R1 (Low-Density Residential) to R2 (Medium-Density Residential).
- After approval of the construction/stormwater pollution prevention plan in July, 2021, the developer submitted an amended notice of intent to IDEM, to include a copy of the technical review approval, for the proposed land disturbance of the entire parcel, with an estimated start date of July 2021 and an estimated end date for all land disturbing activity of July 2026.
- On November 29, 2021, IDEM issued a construction permit for the proposed sanitary sewer systems for Section One and Section Two (A) of Champions Run Subdivision.
- The Final Plat of Champions Run Section One was recorded on June 7, 2022, in Plat Book 19, at Page 49, in the Office of the Clark County Recorder. Section One platted 34 residential lots along the northwestern border of the property and contains 13.62 acres and is excluded from this application.

As shown on Exhibit "A" attached hereto, the excluded Section One is currently zoned R1. Of the 69.68 acres included in this application, 11.78 acres adjoining Memphis Bluelick Rd is zoned B2 (General Business District), the 12.46 acres immediately adjoining the B2 acreage is zoned R2, and the remaining 45.44 acres between the R2 acreage and McClellan Road is zoned R1. The applicant is requesting the zone map change to a PUD District to provide greater design flexibility in the development of the overall parcel, which is currently vacant undeveloped land, as included in the statement of intent for PUD Districts in the UDO (Unified Development Ordinance).

The applicant proposes that mixed uses be permitted on the 11.78 acres along Memphis Bluelick Road, consisting of commercial, institutional and multi-family residential uses as more fully described on the list of proposed land uses included with the application. Considering the large size of the residential portion of the property, the applicant proposes a mix of single-family, two-family, and multi-family residential uses, with the residential section to be platted.

Additional approvals for the plat(s) and development plans will permit the plan commission and administrator to continue to have oversight of the project as the development progresses, and, as demonstrated by the project history, the developer will obtain all necessary approvals and permits.

# Clark County, IN

BLUELICK ROAD, MEMPHIS, IN 47143

10-10-21-900-002.000-032



## Parcel Information

Parcel Number: 10-10-21-900-002.000-032

Alt Parcel Number: 10-00017-043-0

Property Address: BLUELICK ROAD  
MEMPHIS, IN 47143

Neighborhood: UNION TWP BASE RES - 032

Property Class: Other Agricultural Use

Owner Name: Blue Point Development LLC

Owner Address: 1736 East Main Street  
New Albany, IN 47150

Legal Description: Gt 219 83.3 AC

## Taxing District

Township: UNION TOWNSHIP

Corporation: HENRYVILLE-BORDEN SCHOOLS

## Land Description

<u>Land Type</u>	<u>Acreage</u>	<u>Dimensions</u>
82	0.12	
91Rr	0.756	
4	62.424	
6	20.0	

# Clark County, IN

13924 BLUE LICK ROAD, MEMPHIS, IN 47143  
10-10-22-000-132.000-032



## Parcel Information

**Parcel Number:** 10-10-22-000-132.000-032

**Alt Parcel Number:** 10-00017-018-0

**Property Address:** 13924 BLUE LICK ROAD  
MEMPHIS, IN 47143

**Neighborhood:** UNION TWP BASE RES - 032

**Property Class:** Mobile or Manufactured Home - Unplatted (0 to 9.99 Acres)

**Owner Name:** Blue Point Development LLC

**Owner Address:** 1736 E Main Street  
New Albany, IN 47150

**Legal Description:** GT 220 1 A

## Taxing District

**Township:** UNION TOWNSHIP

**Corporation:** HENRYVILLE-BORDEN SCHOOLS

## Land Description

**Land Type**

9Rr

**Acreeage**

1.0

**Dimensions**